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LOK SABHA

Wednesday, May 2, 1973/Vaisakha 12, 1895 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Radio and Electronic Components Manufacturers of West Bengal not allowed to expand their Business

*921 SHRI B K DASCHOWDHURY: Will the Minister of ELECTRONICS be pleased to state

(a) whether the radio and electronic components manufacturers of West Bengal have not been permitted to expand their business in West Bengal, whereas these manufacturers are being freely allowed to start new projects or to expand their business in other States, and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K C PANT). (a) No restriction has been imposed on the manufacturers of Radio & Electronic components of West Bengal to expand their business in that State

(b) Does not arise

SHRI B K. DASCHOWDHURY: Is it a fact that the Phillips Company wanted a licence from the Government of India for manufacturing nearly 3,00,000 sets and the Government of India imposed certain conditions that whatever be the number of sets over 60,000 manufactured by the company, 75 per cent thereof should be exported, and on this ground the

expansion of the company was not allowed? Also is it a fact in this particular case, the Government of West Bengal sent a detailed report to the Centre charging the Central Government with encouraging expansion of this company in some other States than West Bengal and the Chief Minister also sent a note in this connection in August 1972? If so, what are the reactions of the Government

SHRI K C PANT. Phillips (India) had an industrial licence for the production of 60,000 radio receivers in their factory at Calcutta In 1967, their original application was for regularisation of expansion from 60,000 to 1,00,000 sets The Department of Defence Supplies, which was handling this matter at that time, said that this should be an application for expansion rather than regularisation So they applied for expansion to 1,75,000 sets. This was in April 1969 By the time the matter was taken up by the Licensing Committee, the policy was that in certain sectors where the small scale industry was also engaged, expansion would be allowed if the party was willing to export 75 per cent of its additional capacity This is the reason for the condition Later on, the West Bengal Government wrote to the Central Government when the company was already producing over two lakh sets Their original licence, I would remind the hon Member, is only 60,000 sets They were already producing over two lakh sets, and the recommendation was that they may be allowed to expand to three lakh sets So, the company was approached and they said they will not agree to this condition of 75 per cent export. Now, actually the expansion to three lakh sets without due authority is an objectionable thing But because of the conditions of West Bengal because of

West Bengal Government's recommendation and so on, the discussions are going on with the company, and a negotiating team has been set up by the Government to go and discuss with Phillips (India) Co., not only in regard to this particular licence but the general role that the company can play here, the reduction in foreign quota and so on and so forth. So, this negotiating team is taking up the whole matter and other related matters with the company.

SHRI B. K. DASCHOWDHURY. May I know whether it is a fact that Phillips Co., started a factory at Loni, near Poona, in 1958 with a capacity to manufacture 12,000 sets a year and up to date, the branch at Loni has been allowed to expand up to 700,000 sets without putting any restriction or any condition that 75 per cent of their total production should be exported? If so, why these two standards have been maintained by the same company one for the expansion in West Bengal and the other for expansion in Loni, in Maharashtra?

SHRI K. C. PANT: There is no question of two standards. The Poona company had a licenced capacity, according to my information, of 3.3 lakh radio receivers This may be at a later date than the one mentioned by the hon. Member. In 1968, they had applied for a licence for expansion of the capacity to 19 lakh sets. But, the licensing committee only agreed to seven lakh radios. This was approved and the letter of intent was issued Their applications was prior to the other application of expansion in the Calcutta unit from 60,000 to 1,75,000 units. So, I do not think there are two standards.

SHRI B. K DASCHOWDHURY: May I know,—*(Interruption)*—*the* date was changed, though the monthly quota of this licence was from November, 1970, but it was changed from August, 1949 to 1970?

SHRI K. C. PANT; I do not know about any change of date. I do not know what the hon. Member is really objecting to. In West Bengal, this company has expanded production and without authorisation, they were allowed to go on producing. What is the objection?

SHRI M. S. SANJEEVI RAO: I want to know from the hon. Minister whether he is aware of the fact that because of the policies of the Government of India, Phillips Co., are not only shutting down in West Bengal but they are going to Singapore in a big way and they are intending to completely wind up their organisation in India?

MR. SPEAKER: This does not arise out of this question. This is an information you are giving to the Minister. How is he expected to know it? Did they consult him about Singapore? Next question.

SHRI SAMAR GUHA: Sir, one supplementary. Just half a minute.

MR. SPEAKER: I have already passed on to the next question I am sorry Now, Mr. Bibhuti Mishra.

राष्ट्रीय एकता परिषद को पुनःसक्रिय करना

*922. श्री बिभूति मिश्र :
श्री इसहाक सम्भली :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार राष्ट्रीय एकता परिषद् को पुनःसक्रिय करने के प्रश्न पर विचार कर रही है; और

(ख) यदि हां, तो उसके क्या कारण हैं ?

गृह मंत्रालय तथा कार्मिक विभाग में राज्य मंत्री (श्री राम निवास मिर्धा) : (क) और (ख). मामला विचाराधीन है ।

श्री विभूति मिश्र मैं जानना चाहता हू कि सरकार इस मामले को कब तक विचाराधीन रखने का प्रयत्न कर रही है और जब तक वह इस को विचाराधीन रख रही है क्या विभिन्न पोलिटिकल पार्टीज से वह सलाह मश्वरा करेगी ताकि वह मनसा वाचा कर्मणा सरकार को मदद करें?

श्री राम निवास मिर्धा इस प्रश्न पर विचार किया जा रहा है कि राष्ट्रीय एकता परिषद् का किस प्रकार पुनर्गठित किया जाये । लेकिन इस का यह मतलब नही है कि जब से परिषद् की मीटिंग हुई है तब से ले कर आज तक कोई काम नही किया गया है । परिषद् की स्टेण्डिंग कमेटी व एक अन्य समिति समय-समय पर मिलती रही है और उन की आखिरी मीटिंग 1970 मे हुई थी। उसके पश्चात् जैसी परिस्थिति बगलादेश मे हुई उस की वजह से और उसके बाद 1972 मे भी चुनाव इत्यादि के कारण उस को वापस बुलाने के लिए कदम नही उठाये गये । लेकिन जो भी इस परिषद् व समितियों की सिफारिश थी चाहे वह नया कानून बनाने के सम्बन्ध मे हो या कानूनों मे कुछ परिवर्तन करने के सम्बन्ध मे हो अथवा प्रशासनिक तौर पर क्या कदम उठाया जाये उस से सम्बन्धित हर स्तर पर अमल किया जाता रहा है। इसलिए हालांकि मीटिंग नही हुई है लेकिन फिर भी जो कार्य राष्ट्रीय एकता परिषद् द्वारा तय किया गया था, उन्होने जो प्रस्ताव पास किये थे, उन के अनुसार कार्य हो रहा है, और यह आशा की जाती है कि जल्दी ही उस को पुनर्गठित करके उस की या उस की समिति की बैठक जल्दी बुलाई जाये ।

श्री विभूति मिश्र अभी मंत्री महोदय ने जो मुख्य सवाल का जवाब दिया और जो मेरी सप्लीमेन्ट्री का जवाब दिया उस मे मुझे विरोधाभास मालूम होता है । मै जानना चाहता हू कि सरकार कैसे पुनर्गठित करेगी और उस मे पहले पुनर्गठन करने के सम्बन्ध मे कौन से कदम उठाने जा रही है? उसको पुन गठित करने के लिए सरकार ने जो कदम उठाये है सरकार के जितने विभाग हैं और उन मे काम करने वाले जो लोग हैं क्या वह मनसा वाचा कर्मणा नेशनल इंटेग्रेशन के पक्ष मे है ? जैसे सर्विस क्लास है इस मे किस को कौन सी नौकरी दी जाये, डिफेन्स है, उस मे किस तरह के लोग नौकरी मे जाते है । यह सारी चीजें इंटग्रेशन मे बाधक होती है । सब के साथ न्याय करने के लिए और इंटग्रेशन के हित मे सरकार क्या कोई सक्रिय कदम उठाने जा रही है ?

श्री राम निवास मिर्धा राष्ट्रीय एकता परिषद् के जो सदस्यता थी उस मे बहुत सारे बदल हो चुकी है । कई मुख्य मंत्री थे जो आज मुख्य मंत्री नहीं, कई समद् सदस्य थे, जो उस के सदस्य थे वह आज समद् सदस्य नही है और कई पार्टिया भी उस मे सम्बन्धित नही है । इसलिए आज पुनर्गठन करने के लिए इस को देखने की आवश्यकता है कि नये नये सदस्य किस प्रकार के बनाये जायें ताकि कारगर तरीके से वह काम कर सके ।

माननीय सदस्य ने प्रश्न किया कि सरकार के विभिन्न विभाग जो राष्ट्रीय एकता के कार्यक्रम हैं और हिदायतें उन का पूर्ण रूप से पालन करते है या

नहीं । इसके बारे में मैं यह निवेदन करूंगा कि जो भी निर्णय परिषद् द्वारा या उन की समितियों के द्वारा किये गये वह सारी राज्य सरकारों को और सारे सरकारी विभागों को भेज दिये गये है । हमेशा कोशिश की जाती है कि वह उन का अनुपालन करें और अनुपालन ही न करें, बल्कि इस प्रकार का प्रशासनिक दृष्टिकोण और वातावरण तैयार करे कि सच्ची और सही प्रकार की राष्ट्रीय एकता का प्रादुर्भाव देश मे हो ।

SHRI FATEHSINGHRAO GAEKWAD: May I know the main failure of the National Integration Council which prompted its winding up?

SHRI RAM NIWAS MIRDHA: There is no question of winding it up and there is no question of its failure also The Council was very useful; it gave a set of directives on which the administration could work; it gave indications on the lines of which legal statutes could be amended. They have done very commendable work which is providing guidance even now in our work.

SHRI Y. S. MAHAJAN: Integration is concerned with linguistic passions between different sections of the community. For this purpose I believe if children speaking different languages could be brought together in the same school, it will make for integration I want to know whether there are any schools of that kind

MR. SPEAKER: The question is about reviving the Council and not about the schools.

SHRI Y. S. MAHAJAN: Integration is promoted by bringing together children speaking different languages

MR. SPEAKER: I agree it is so, but it is also important that the question should be relevant to the main question. I am sorry for that.

SHRI G. VISWANATHAN: I would like to know from the hon. Minister how many of the recommendations of the National Integration Council have been accepted and how have they been implemented so far.

SHRI RAM NIWAS MIRDHA: We have answered the questions to this effect before—starred as well as unstarred—and we have placed on the table of the House the recommendations and the manner in which they have been implemented. If the hon. Member wishes, I can send a copy of it to him.

SHRI HARI KISHORE SINGH May I know the steps taken by Government to revive the National Integration Council and the assistance it has received from various elements in the country including the political parties which are opposing for the revival of the National Integration Council?

SHRI RAM NIWAS MIRDHA: Government is not aware of any political party opposing the revival of the National Integration Council It is true that some parties did not participate initially in the meetings of the National Integration Council But we were not aware of any political parties who were opposed to the revival of the National Integration Council

SHRI SAMAR GUHA: Is it a fact that the National Integration Council as it exists to-day, in its last meeting, formulated certain things in regard to the sons of the soil as also in regard to the rights of the minorities, particularly, the linguistic minorities?

MR. SPEAKER: This is only about the revival Your question does not arise from the main question.

SHRI SAMAR GUHA: May I humbly draw your kind attention that just before I put my question, you allowed two questions. As regards implementation the hon. Minister has replied to that question. My question flows from that. And so, you will please allow me to put the question.

MR. SPEAKER: I am sorry. This does not arise from the main question.

SHRI SAMAR GUHA: This is a sense of discretion. (*Interruptions*).

MR. SPEAKER: The question is with regard to reviving the National Integration Council. You are disobeying me, you should not expect that I shall yield because you go on Integration Council. oou are dis- You will please sit down. I am so sorry.

Inquiry into charges against Director of Health Services, Goa

*923. **SHRI PURUSHOTTAM KAKODKAR**: Will the Minister of HOME AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 1826 on 7th August, 1970 regarding the corrupt practices in the purchase of medicines for Government Hospitals in Goa and state:

(a) whether any inquiry was instituted against the Director of Health Services, Goa; and

(b) if so, when and with what result?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K C PANT): (a) and (b). Yes, Sir An enquiry was instituted by the Government of Goa, Daman and Diu against their Director of Health Services. The articles of charges were served on the officer on the 17th October, 1970. The inquiring authority submitted its report on 7th July, 1972 and the Central Vigilance Commission tendered its advice on the findings of the inquiring authority to the Union Territory Government on the 25th Septemebr, 1972. A final decision is expected to be taken soon by the Government of Goa, Daman and Diu.

SHRI PURUSHOTTAM KAKODKAR: My question was whether there was any discrepancy between the charges communicated to the Ministry of Home Affairs by the Chief Minister of Goa, Daman and Diu and the charges as stated in the show cause notice given to the Director of Health Services, Goa, Dr. Wag. I do not know why my question was truncated. The minister said that in October 1970 charges were served on the Director of Health Services, Goa. On 7th July, 1972 the enquiring authority submitted its report and on 25th Septemebr 1972 the Central Vigilance Commission tendered its advice on the findings of the inquiring authority to the Union Territory Government. We are now in May 1973. The minister said that a final decision is expected to be taken soon. The Director of Health Services, Dr. Wag, was very recently honoured with the 1972 award by the All India Medical Association in Calcutta for rendering best service in the cause of public health in the country. This Director was suspended in 1970 on the pretext of something here and something there out of the vindictiveness—political and personal—of the Chief Minister of Goa, Daman and Diu He was kept under suspension.

MR SPEAKER; This is not an occasion to make a speech. Put your question.

SHRI PURUSHOTTAM KAKODKAR: May I know from the hom. Minister whether the enquiry has proved the charges as baseless? May I know from the hon Minister what serious action has been taken, or is being taken, or is proposed to be taken against the person of the Chief Minister who kept the Director of Health Services under suspension for many months or two years and put him to mental torture? What serious action has been taken against the person who made the Director of Health Services suffer for no fault of his?

SHRI K. C. PANT: First of all, I can assure my hon. friend that the question which has come to us is not with regard to any discrepancy with

regard to the charges. The question is "whether any inquiry was instituted against....and, if so, when and with what result?" We have given the answer to that question.

The second question is as to the time taken. All I can tell him is that we have taken up this matter with the Government of Goa, Daman and Diu and with the Lt. Governor to expedite a decision in the matter. A message dated 27th April, 1973 has been received by us that the Government of Goa has scrutinised this matter at various levels and has submitted the whole matter to the disciplinary authority on 17th April 1973 and that a final decision is expected shortly. This is the basis on which I have given the main reply that the final decision can be expected shortly. We are also asking them to take a decision quickly in the matter.

So far as the finding of the Vigilance Commission goes, the advice has been tendered by it on the basis of the finding of the enquiring authority to the Government of Goa, Daman and Diu and they will be taking a decision. I would not like to comment on it at this stage, except to say that they have advised the issue of only a caution and that on this basis and on the consideration of the appeal made by the doctor regarding his suspension order, that order was revoked by the President in October.

SHRI PURUSHOTTAM KAKODKAR: This is not the only case. There are a number of cases, numberless cases, where out of vindictiveness, political and personal, of the person of the Chief Minister, posts have been abolished and Government employees have been removed from posts on the pretext....

SHRI G. VISWANATHAN: When there is an Assembly in Goa, why should these matters be brought here?

SHRI BHAGWAT JHA AZAD: What is wrong with it?

SHRI PILOO MODY: Double standards.

MR. SPEAKER: I would accept the suggestion of Shri Viswanathan. But, then, in future he will have no right to refer to any Chief Minister like that.

SHRI K. S. CHAVDA: We are pointing out that reference to the person of the Chief Minister should not be allowed....

MR. SPEAKER: You are so happy when Shri Bansi Lal's name is mentioned and unhappy when the name of somebody else is mentioned. There should be uniform standards I would request Shri Kakodkar also not to bring in the Chief Minister.

SHRI SAMAR GUHA: Sir, I rise on a point of order.

MR. SPEAKER: No point of order during the question hour.

SHRI SAMAR GUHA: It is a point of clarification. I quite agree with your observation that so far as State matters are concerned there should be no reference here. But there are certain subjects which are concurrent where Parliament has the right to make reference. Therefore, your observation should be related to State subjects and not concurrent subjects

MR. SPEAKER: I know the proper procedure.

SHRI PURUSHOTTAM KAKODKAR: Whether the Chief Minister's name should be mentioned or not, Goa, Daman and Diu is a union territory....

MR. SPEAKER: It will be much better if you do not bring in the name of the Chief Minister. You just say, Government.

SHRI PURUSHOTTAM KAKODKAR: I am not bringing in the name of the Chief Minister. Goa, Daman and Diu is not a State like other States. It is a union territory under the Centre. The Government of India, the Home Ministry, has every right to discuss every point. All such cases are out of vindictiveness, political and personal. The posts are abolished, the officers are sent away over night on the pretext that there are no posts which were abolished earlier. There is uncertainty in the union territory of Goa, Daman and Diu for employees and officers ...

MR. SPEAKER: You are making a regular speech.

SHRI PURUSHOTTAM KAKODKAR: I would like to know from the hon Minister what serious action has been taken or is proposed to be taken so that this uncertainty in the union territory of Goa, Daman and Diu is not there and such cases are not repeated and are not encouraged in future.

SHRI K. C. PANT: As to the competence of the Goa Government, I would say, whenever irregularities come to notice, as the appointing authority, the Goa Government is competent, to take appropriate action. Therefore, it is their responsibility How they do it is also upto them. But if my hon friend says, they do not do it properly, the people of Goa watch and take note of it.

SHRI P. GANGADEB: May I know from the hon. Minister whether the Government will consider any steps to safeguard a civil servant from vindictive action by higher authorities if he is cleared of any charges of mal-practices after conducting an independent inquiry and, if not, what measures have been contemplated to rectify this departmental lacuna in the administration?

SHRI K. C. PANT: The question is somewhat hypothetical. In any case, action to be taken will be decided by the Lt. Governor in consultation with the Chief Minister and, I would hope, the action taken will be in commensurate with the findings of the inquiring authority and will bear in mind the advice given by the C.V.C.

Trading by Tyre Manufacturers in Products not Manufactured by them

*924. . SHRI B R. SHUKLA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the tyre manufacturers are also trading in products other than those manufactured by them;

(b) if so, whether it is in accordance with the conditions of licence issued to them;

(c) whether the proceeds from trading in products not manufactured by these tyre companies are being repatriated out of India in part or full; and

(d) if so, the extent thereof during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE): (a) to (d). A statement is laid on the Table of the House.

STATEMENT

(a) and (b). The Industrial Licences issued to Tyre Manufacturers are for the manufacture of specific items and trading activities by these firms are not covered by any of the conditions attached to the industrial licences issued to them. It is a fact that foreign controlled tyre and tube manufacturing firms, sell through their dealers, automobile accessories etc., neither manufactured by these companies themselves nor manufac-

tured with technical know-how provided by them to other companies.

(c) and (d). The proceeds from trading in products not manufactured by these tyre companies are being repatriated out of India by these companies but the extent of such remittances in respect of these transactions is not separately available.

SHRI B. R. SHUKLA: May I know from the hon. Minister whether such trading is entirely a free enterprise or is it controlled in any way by any governmental action or regulation?

SHRI PRANAB KUMAR MUKHERJEE: In the statement it has already been pointed out that it is found that certain tyre manufacturing companies are trading with articles which are not covered by the licences. Already a complaint has been lodged under Section 10A(1) of the MRTP Act. The investigation is going on and, after getting the report from the Director of Investigation, action will be taken

SHRI B. R SHUKLA May I know how long this trading in such accessories by the manufacturers who have not been given any licence for such trading is going on and whether, inspite of the knowledge of such trading in such accessories Government has chosen not to take any action in this behalf?

SHRI PRANAB KUMAR MUKHERJEE: It is not a fact that Government has chosen not to take any action to stop it. As I have already pointed out, the MRTP Commission is considering the case. The Finance Ministry is also considering the possibility of plugging the loopholes in remittances in connection with the trading activities. So far as this Ministry is concerned, they received a complaint from the All India Motor Unions Congress in 1972 and as soon as the complaint was received, due measures have been taken. It is very difficult to identify the actual amount remitted by the tyre companies in connection with accessories.

SHRI MANORANJAN HAZRA: May I know from the hon. Minister whether he is aware of the performance made by the Firestone Company and if so, whether any action has been taken against them.

MR. SPEAKER: This is a specific question about a company, whereas the main question is general in nature. You are asking about one particular company. I have no objection, if he has got the information.

SHRI PRANAB KUMAR MUKHERJEE: I have no specific information.

SHRI PILOO MODY I would like to know from the Minister whether he is aware of any law, regulation, rule or act of Government which prohibits these companies from trading in products which they do not manufacture.

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM) I agree there is no licence required for trading in accessories or any other articles But if they indulge in restrictive trade practices—and this is the allegation made against them, then the MRTP Act comes into operation This is under investigation now.

SHRI K D. MALAVIYA In view of the fact that there are obvious malpractices or irregularities committed in such cases can the Government not find out some method of short-circuiting the long process of inquiry, leaving cases undecided for months and months or even years and years?

SHRI C SUBRAMANIAM: We have to follow the procedures in this case. As I have already stated, for the purpose of trading, no licence is required. But in the process of trading if there are malpractices and restrictive trade practices, then they come

under the Act This being a foreign company, perhaps the activities could be further regulated when we pass the Foreign Exchange Regulations Bill

SHRI K D MALAVIYA Can Government not find out some ready method to put a stop to these malpractices? What is it that prevents the Government from doing this? Why are they leaving it to the inevitability of gradualness of the process of inquiry?

SHRI C SUBRAMANIAM First of all we should establish the irregularity before we take any such step

SHRI K D MALAVIYA There are obvious irregularities

MR SPEAKER Next Question

Promotion of persons belonging to Scheduled Castes and Scheduled Tribes to posts of Inspectors in Delhi Police

926 SHRI SHASHI BHUSHAN Will the Minister of HOME AFFAIRS be pleased to state

(a) whether a list of about 50 Sub Inspectors to be promoted to the posts of Inspectors in Delhi Police has been recently prepared,

(b) whether this list does not contain any persons belonging to Scheduled Castes and Scheduled Tribes and

(c) if so the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K C PANT) (a) A list of 46 Sub-Inspectors for promotion to Inspectors was notified on 12th January 1973 by the Inspector General of Police, Delhi

(b) Yes, Sir

(c) This list was at variance with the instructions issued by the Government regarding reservations for Scheduled Castes and Scheduled Tribes The notification of this list has been cancelled The Selection Board will now prepare a fresh list in accordance with the instructions of the Government in this regard

श्री शशि भूषण अध्यक्ष महोदय, मैं मंत्री महोदय से जानना चाहूंगा कि क्या यह सही है कि दिल्ली में 253 इंसपेक्टर्स में सिर्फ 9 हरिजन और पिछड़ी जाति के इंसपेक्टर्स हैं और 1330 सब-इंसपेक्टर्स में 118 सब-इन्स्पेक्टर्स पिछड़ी जाति के और हरिजन है ? सब-इन्स्पेक्टर से इन्स्पेक्टर प्रोमोट करने में अब तक कितने शेड्यूल्ड कास्ट और पिछड़ी जाति के सब इंसपेक्टर्स का प्रोमोट किया है और जो यह लिस्ट बदली गई है इसका कारण क्या है ?

श्री कृष्ण चन्द्र पन्त अध्यक्ष जी इस पार्टिकुलर केस में किसी शड्यूल्ड कास्ट को सिलैक्ट नहीं किया गया उन्होंने शेड्यूल्ड कास्ट कैन्डीडेट का सिलैक्शन बाकी कैण्डीडेट्स के साथ मिला कर किया क्योंकि गवर्नमेंट की इन्स्ट्रक्शन है कि शेड्यूल्ड कास्ट कैन्डीडेट्स की अलग लिस्ट बना कर उनका इन्टरव्यू अलग से करना चाहिए । इस लिए इस सिलैक्शन को कैन्सिल कर दिया गया है और अब नया सिलैक्शन बोर्ड बना कर नये तरीके से सिलैक्शन होगा तथा इस सिलसिले में गवर्नमेन्ट की जो इन्स्ट्रक्शन्ज हैं उनको फौलो किया जायगा ।

श्री शशि भूषण · सब-इन्स्पैक्टर से इन्स्पैक्टर बनाने के लिए पिछड़ी जातियों के लोगों को क्या सहूलियतें दी जाती हैं और अब तक उनको कितनी तरक्की दी गई है ? यदि नहीं दी गई है तो क्या कारण हैं ?

श्री कृष्ण चन्द्र पन्त : इन के सिलैक्शन का तरीका यह है कि जो सिलैक्शन ग्रेड के सब-इन्स्पैक्टर है और जो 6 साल सर्विस मे रह चुके है, उन मे से सिलैक्शन किया जाता है । अब तक की फिगर्स इस प्रकार हैं —इन्स्पैक्टर्स रिजर्वेशन फोर्स—एक्चुअल पोस्ट्स 39, लेकिन 8 शैड्यूल्ड कास्ट्स के है। सब-इन्स्पैक्टर्स 219 मे से 120 रिजर्व्ड है। इन से जो सिलैक्शन ग्रेड के सब-इंसपैक्टर हैं, कन्फर्म्ड सब-इंस्पैक्टर्स हैं तथा जिन की 6 साल की सर्विस है, उन मे से शैड्यूल्ड कास्ट्स की अलग लिस्ट बनती है और दूसरो की अलग लिस्ट बनती है। जो शैड्यूल्ड कास्ट का कैन्डीडेट मिनिमम प्रैस्क्राइब्ड क्वालिफिकेशन को सैटिस्फाई करता है, उस को लिया जाता है इस तरह से उन का नम्बर बढ सकता है, लेकिन अगर दूसरो के साथ तुलना कर के लिया जाय तो कम आते है। इसी लिए अलग से लिस्ट बना कर लेने की बात है ।

इस केस मे 210 केन्डीडेट्स को कन्सीडर करना चाहिए था लेकिन 109 जो सीनियर-मोस्ट थे उन को ही कन्सीडर किया गया । इस लिए फिर से सिलेक्शन बोर्ड बना कर सिलैक्शन किया जायगा ।

श्री मान सिंह भौंरा : पुलिस की जो लिस्ट बननी है उस मे कमेटी जिन को चाहती है, उन को ले लेती है, इस के लिए कोई क्राइटेरिया नही है । मैं जानना चाहता हू कि क्या आप इस के लिए कोई क्राइटेरिया तय करेंगे । पहले जो सिलैक्शन हुआ, उस को अब छोड दिया गया है, क्या आप की इन्स्ट्रक्शन उनके पास पहले नही थी, यदि थी, तो जिन्होने इस मे नेगलिजेन्स की है, उनके खिलाफ आप ने क्या एक्शन लिया ?

श्री कृष्ण चन्द्र पन्त : इसमें पहले सिलेक्शन या बाद के सिलैक्शन की बात नही है। जो लोग उस मे सिलेक्ट हुए उस सारे सिलैक्शन को कैन्सिल कर दिया गया है और अब नये सिरे से सिलैक्शन होने वाला है । इस लिए इसमे कोई गल्ती का सवाल नही है ।

श्री मान सिंह भौंरा लेकिन नेग्लिजस के लिये क्या एक्शन लिया ?

श्री कृष्ण चन्द्र पन्त . मैं पहले की बात नही जानता । मैंने आप के सामने नम्बर बता दिया है उस मे शैड्यूल्ड कास्ट कैण्डीडेट्स कन्सीडर हुए थे, लेकिन उन को नही लिया गया —यह एक्चुअल पोजीशन है । अब चूकि सारी चीज नये सिरे से होगी, इसलिए शैड्यूल्ड कास्ट्स को पूरा चान्स मिलेगा ।

SHRI MUHAMMED KHUDA BUKHSH May I know from the Government whether in that list any minorities other than Scheduled Castes and Scheduled Tribes are represented?

MR SPEAKER The question is only about Scheduled Castes Your question does not arise out of this You may put a separate question

SHRI NANUBHAI N PATEL What about Scheduled Tribes? There is no mention about the Scheduled Tribes Only they have mentioned Scheduled Castes.

अध्यक्ष महोदय अब यह तो नये सिरे से हो रहा है, इसलिए इसमें झगडे की क्या बात है —इस मे अब क्या प्रश्न करना है ?

Cement Factories in Maharashtra

*927. SHRI J. G KADAM
SHRI SHANKERRAO SAVANT

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) how many cement factories are there in Maharashtra in the public and the private sector and what is the capacity of each one of them,

(b) whether the Maharashtra Government have represented to the Central Government for starting some more cement factories in that State and

(c) if so the proposed location and the capacity thereof and the action proposed to be taken by the Central Government on their representation?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE) (a) There is one cement factory at Chanda in Maharashtra in the private sector with a capacity of 4 0 lakh tonnes per annum

(b) and (c) No Sir However an application dated 19th April 1973 has been received from a private party for setting up a cement plant at Chanaka (Maharashtra) for a capacity of 6 0 lakh tonnes per annum

SHRI J G KADAM As there is availability of raw-material at Chanaka in Maharashtra will Government be kind enough to establish a cement factory in the public sector over there?

SHRI PRANAB KUMAR MUKHERJEE At present there is no such proposal to establish a cement factory in public sector in Maharashtra

SHRI SHANKERRAO SAVANT May I know whether any private party has applied for a cement factory at Chanaka?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM) Generally, the details of pending applications are not given

श्री मधु लिमये क्या मंत्री महोदय का ध्यान इस बात की ओर गया है कि सीमेन्ट का जो नियंत्रित दाम है, उससे तकरीबन ढाई-गुने दाम पर सीमेन्ट बिक रहा है और चूंकि महाराष्ट्र में सिमेन्ट के कारखाने नहीं है इसलिए वहां सीमेन्ट का दाम तीन-गुना हो गया है। क्या मंत्री महोदय को इस बात की जानकारी है ? यदि है तो सीमेन्ट के वितरण के बारे में और उत्पादन के बारे में कौन सा समुचित कदम वे उठाने जा रहे है ?

SHRI C SUBRAMANIAM This does not relate to distribution at all. This relates to number of factories in Maharashtra

श्री मधु लिमये कारखाने नहीं रहेंगे तो उत्पादन नहीं होगा और उत्पादन नहीं होगा तो वितरण में दिक्कत आयेगी .

अध्यक्ष महोदय यह तो नये कारखाने चलाने के बारे में है वितरण के बारे में नहीं है।

SHRI DHAMANKAR Is there any proposal to start a cement factory in the cooperative sector over there?

SHRI PRANAB KUMAR MUKHERJEE There is no such proposal for the present

जिला भरतपुर (राजस्थान) में ताजपुर के हरिजनों पर किये गये अत्याचारों के बारे में शिकायतें

*928. **डा० लक्ष्मीनारायण पांडेय :**
श्री हेमेन्द्र सिंह बनेरा :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार को जिला भरतपुर (राजस्थान) में ताजपुर के हरिजनों पर किये गये अत्याचारों के सम्बन्ध में शिकायत मिली है ;

(ख) क्या उन्होंने गृह मंत्रालय को एक ज्ञापन भी प्रस्तुत किया है, और

(ग) यदि हां तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

गृह मंत्रालय तथा कार्मिक विभाग में राज्य मंत्री (श्री राम निवास मिर्धा) : (क) से (ग) एक विवरण सभा पटल पर रखा जाता है ।

विवरण

एक पत्र दिनांक 3 अप्रैल 1973 जिस पर सर्वश्री हेमेन्द्र सिंह लक्ष्मीनारायण पाण्डेय और कुछ अन्य संसद सदस्यों के हस्ताक्षर थे गृह मंत्री को प्राप्त हुआ था । इसमें कहा गया था कि गत 14 वर्षों के दौरान ग्राम ताजपुर तहसील बेर जिला भरतपुर के कुछ हरिजन परिवार भूमि जोत रहे थे तथा गांव के कुछ गूजर हरिजनों को गांव में निकालने के विचार से हरिजन कृषकों को परेशान कर रहे थे । उसमें यह भी कहा गया था कि सम्बन्धित गूजरों ने हरिजन कृषकों को लाठियों से पीटा था । यद्यपि मामले की सूचना स्थानीय पुलिस को दी गई किन्तु कोई उपयुक्त कार्यवाही नहीं की गई । पत्र को राजस्थान सरकार को उसमें उठाई गई बातों के बारे में वास्तविक सूचना भेजने के लिए अनुरोध करते हुए भेजा गया था ।

2 उक्त तेजपुर गांव के हरिजन गृह मंत्री से मिले थे और उसी विषय पर 2 अप्रैल को उन्हें ज्ञापन दिया था जो उनकी ओर से भारतीय हरिजन संघ द्वारा तैयार किया गया था । ज्ञापन को आवश्यक कार्यवाही हेतु राजस्थान सरकार को भेज दिया गया था । गृह मंत्री ने हरिजनों को जो उन से मिले थे शिकायत के निवारण के लिए राजस्थान के मुख्य मंत्री से मिलने की सलाह दी थी । गृह मंत्री ने इस मामले बारे में राजस्थान के मुख्य मंत्री को यह अनुरोध करते हुए लिखा था कि मामले में जांच की जाय और उपयुक्त कार्यवाही की जाय ।

3 राज्य सरकार से प्राप्त सूचना के अनुसार यह प्रतीत होता है कि वहां कुछ हरिजनों तथा एक गूजर के बीच 25 बीघा भूमि के बारे में मुकदमा चला था और न्यायालय का निर्णय इस समय सम्बन्धित गूजर के पक्ष में है । कानून तथा विवादास्पद भूमि के सभी सम्बन्धित तथ्यों के बारे में आगे सूचना मालूम की जा रही है ।

डा० लक्ष्मीनारायण पांडेय गृह मंत्री जी ने जो विवरण रखा है, उस से यह प्रतीत नहीं होता कि गांव से निकालने की जो कार्यवाही हरिजनों के प्रति की गई, उस के विरुद्ध राज्य सरकार ने क्या कदम उठाया है । आप ने कहा कि इस केस की कानूनी बारीकियों के बारे में जांच

कर रहे हैं, लेकिन मुख्य रूप से जो सवाल है कि सामूहिक रूप से उन के प्रति जो अत्याचार किया गया, उन को पीटा गया, पुलिस ने केस रजिस्टर नहीं किया — उन के खिलाफ क्या कार्यवाही की गई जिन्होंने अत्याचार किए है। क्या इसके बारे में कोई जानकारी सरकार को प्राप्त हुई है ?

श्री राम निवास मिर्धा : राज्य सरकार ने जो सूचना दी है, उस में मुख्य रूप से क्या काननी झगड़ा है तथा उसमें कौन कौन सम्बन्धित है—इसी के बारे में कहा है। लेकिन कई अन्य तथ्य अभी उन्होंने नहीं बताये है। इस के लिए हम उन से लिखा-पढ़ी कर रहे है तथा इस का पूरा विवरण जो दरख्वास्त में था उस की पूरी जानकारी उनको भेजी है—अभी पूरा जवाब प्राप्त नहीं हुआ है।

डा० लक्ष्मीनारायणपांडेय : गृह मंत्रीजी को समद् सदस्यों की तरफ से ज्ञापन दिया गया था तथा उन कृषकों ने भी जिन के साथ ऐसी घटनायें हुई है, अत्याचार हुआ है उन्होंने भी ज्ञापन दिया था। उन्होंने मांग की थी कि तत्काल जांच कराई जाय तथा उन की सुरक्षा की समुचित व्यवस्था की जाय। उन की सुरक्षा के बारे में कुछ भी नहीं बताया गया है। आप कहते है कि राजस्थान सरकार से पूरा विवरण प्राप्त नहीं हुआ है। मैं जानना चाहता हू कि क्या आप ने राजस्थान सरकार को निर्देश दिये हैं कि उन के साथ आगे किसी प्रकार की कोई दुर्घटना न हो तथा वे लोग जो केस रजिस्टर कराना चाहते थे वह रजिस्टर हुआ या नहीं हुआ ?

श्री राम निवास मिर्धा : यह सही है कि एक ज्ञापन गृह मंत्री जी को दिया गया था और गृह मंत्री जी ने इस सम्बन्ध मे मुख्य मंत्री राजस्थान को स्वयं पत्र लिखा है तथा जो ज्ञापनदाता थे, उनको भी कहा है कि वे मुख्य मंत्री जी को मिल ले उन्होंने मुख्य मंत्री जी को लिख दिया है। इसके बारे में पूर्ण रूप से कार्यवाही की जा रही है।

श्री राम कंवर : अध्यक्ष महोदय यह जो ताजपुर के हरिजनों के साथ अन्याय किया गया है उसके सम्बन्ध में वहा के हरिजन स्त्री और बच्चे आकर विज्ञान भवन के सामने जहा पर कि उस रोज कृषि मंत्री जी थे दो रात पड़े रहे तथा प्रधान मंत्री जी के पास भी अपना ज्ञापन लेकर गए। उन हरिजनों को पीटकर गांव से निकाला गया और उनकी जमीनें छीन ली गई। तो मैं जानना चाहता हू कि प्रधान मंत्री जी की तरफ से उनकी कोई विशेष देख-रेख की गई है ?

श्री राम निवास मिर्धा : गृह मंत्री जी स्वयं उन से मिले थे और उनसे अच्छी तरह से बात चीत की है। उन्होंने मुख्य मंत्री जी को लिखा है कि जो भी, जैसी स्थिति है उसकी पूरी जांच करके बताये कि वस्तुस्थिति क्या है।

श्री पन्ना लाल बरूपाल : मैं आपके माध्यम से मंत्री जी से जानना चाहता हू कि जब से प्रधान मंत्री जी ने समाजवाद का नारा लगाया और हरिजनों पर अन्याय रोकने के लिये कहा तथा स्टेट के मुख्य मंत्रियों को कहा गया कि उन्हें जमीन दी जायें, उनका बसाया जाये और उनकी समस्याओं का समाधान किया जाये तब से प्रतिक्रियावादी तत्व

जो अभी भी इस देश से मौजूद हैं वह हरिजनो को अधिक उजाड रहे हैं। मैं आपके माध्यम से दो सौ ढाई सौ पत्र इनके पास भेज रहा हू तो क्या किसी अफसर की स्पेशल ड्यूटी लगा कर उनकी जाच कराकर हरिजनो को न्याय दिलाने की कृपा करेंगे ?

अध्यक्ष महोदय आपने प्रश्न तो कोई किया नही है।

श्री पन्नालाल बारूपाल : जब से प्रधान मत्री जी ने हरिजनो के साथ न्याय करने की अपील देशवासियो से की है तब मे उनके ऊपर ज्यादा जुल्म हो रहे है। बजाय बसाने के उनको उजाडा जा रहा है।

अध्यक्ष महोदय : आप बैठिये।

श्री पन्नालाल बारूपाल मै बैठू कैसे, इसका जवाब आना चाहिए।

अध्यक्ष महोदय पहले आप बैठे। यदि कोई प्रश्न बनता है तो आप जवाब दे दीजिए।

श्री राम निवास मिर्धा माननीय सदस्य ने कहा कि समय-समय पर जो मामले उनकी सूचना म आते है उनके बारे मे सरकार को लिखते हैं। यह सही है कि माननीय सदस्य ने कई दफे इस सम्बन्ध मे जो भी उनके पास दरख्वास्तें आती है वह भी हमारे पास भेजी है और हरएक दरख्वास्त पर विशेष रूप मे कार्यवाही की जाती है। उन्होने यह सुझाव दिया कि उन सारी शिकायतो की जाच के लिए यहा मे कोई विशेष कार्यवाही की जाये उस सम्बन्ध मे मेरा निवेदन है कि जो भी कार्यवाही होगी, वह राज्य सरकार का जो प्रशासन है उसी के द्वारा होगी। राज्य सरकार को, जो भी मामला हमारे ध्यान मे आता है, उसके बारे मे लिखते है। यही नही, बल्कि पूर्ण रूप से सम्पर्क स्थापित करके उसको हल करने की कोशिश करते हैं।

SHRI K S CHAVDA The Government of India are not serious in the implementation of schemes for amelioration of the lot of Scheduled Castes A question had been raised by me in 1970 regarding the burning alive of a Hrijan girl and the information was given in 1972 Regarding the present incident also, just now, the hon Minister has said लिखा-पढ़ी हो रही है, बाद मे बताऊंगा। तो लिखा-पढी और जाच के बाद हाउस को इन्फार्मेशन देंगे ?

गृह मंत्री (श्री ऊमाशंकर दीक्षित): जो उत्तर दिया गया है उससे यदि माननीय सदस्य कोई ऐसा परिणाम निकालना चाहते है कि गम्भीरता से हम विचार नही कर रहे है तो यह उचित नही है। इस सम्बन्ध मे हमारे पास जो सूचना आई है उसके हिसाब से कोर्ट का फैसला उनके खिलाफ हुआ है इसलिए इसमे ज्यादा बताने से कोई लाभ नही है। (व्यवधान) हमे जो सूचना मिली है उसके अनुसार 8 हजार रुपए में जमीन उन्होंने बेची। दूसरी बार फिर 8 हजार मे वह जमीन बेची। उसके बाद केस कोर्ट में गया और वहा दूसरे नागा को उसका कब्जा मिला कोर्ट का फैसला उनके अनुसार हुआ जिनके कब्जे मे जमीन थी। एक गूजर को वह जमीन मिल गई। इस प्रकार इसके अन्दर ऐसी कोई बात प्रकट नही हुई है जिसस हमको मालूम पड़े कि जान बूझ कर अन्याय हुआ है। इसीलिए हमने इस सम्बन्ध मे ज्यादा जानकारी मांगी है। इसलिए यह कहना कि हम गम्भीरता से विचार नही कर रहे है वह ठीक नही है। यदि इसमे कोई ऐसी बात निकली जिससे मालूम पडा कि शासन की ओर से सस्ती है या औचित्य की अवहेलना हुई है तो हम जरूर दखल देंगे और भी सुझाव देंगे।

SHRI K. S. CHAVDA: He is evading a reply. It is mentioned in the statement that Harijan cultivators had been beaten by the Gujjars, and yet no action has been taken.

MR. SPEAKER: Order, order. I am not going to llow any debate on this.

श्री फूलचन्द वर्मा : मैं मंत्री जी से जानना चाहता हूं 3 अप्रैल, को गृह मंत्री को समदमदस्यों द्वारा एक ज्ञापन दिया गया था और आज दो मई है, पूरा एक महीना हो गया है, आज हरिजनो को गाव से निकाला जा रहा है—यह बात ठीक है जो आपने बताया कि कानून के मुताबिक कोर्ट का फैसला उनके खिलाफ गया है लेकिन वह अलग बात है लेकिन जो हरिजनो को पीट कर और महिलाओ को बेइज्जत करके गाव से निकाला जा रहा है, इतना ही नही बयाना मे डा० अम्बेदकर की मूर्ति को तोड डाला गया . .

अध्यक्ष महोदय आप क्वैश्चन तक महदूद रहिए, भाषण न दीजिए ।

श्री फूलचन्द वर्मा कोर्ट का फैसला उनके खिलाफ गया है लेकिन वह दूसरी बात है परन्तु हरिजनो को, उनकी महिलाओ को, पीटा जा रहा है, गाव से निकाला जा रहा है उस सम्बन्ध मे आपने एक महीने मे क्या कार्यवाही की है ? आपने जो पत्र मुख्य मत्री को लिखा था उसका जवाब उन्होने अभी तक क्यो नही दिया है ? मैं जानना चाहता हू इस सम्बन्ध मे क्या पुन. मुख्य मंत्री को पत्र लिखेंगे और यह कहेंगे कि हरिजनो के मामले मे तत्काल उचित कार्यवाही की जाये ? साथ ही बयाना मे में डा० अम्बेदकर की मूर्ति तोडी गई है उसके सम्बन्ध मे क्या कुछ करेंगे ?

श्री उमाशंकर दीक्षित : इतने समय मे काम काफी तेजी से हुआ है । टेलीफोन से भी बात चीत की गई है । पत्र भी लिखा है और वहा से मुख्य मत्री का जवाब भी आया है । जो उनके पास सूचना थी वह दी है । फिर भी हमने कहा है और आश्वासन दिया है कि अगर कोई कमी देखी जायेगी तो भी कार्यवाही करेगें । यह जो दूसरा प्रश्न पूछ रहे है उसके लिए अलग से पूछेंगें तो अलग से पता लगा कर उसका भी जवाब देंगे । जो उन्होने पूछा कि आप क्या करेगें सो यह सही सवाल है । यहा पर जब हमारे पास आये थे तो हमने सहानुभूति दिखाई और उनके सम्बन्ध मे जो कुछ भी केन्द्रीय सरकार कर सकेगी, हमारे विभाग के द्वारा वह अवश्य किया जायेगा ।

Economic Development of Tribal Areas of Jhargram in Midnapore (West Bengal)

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7929 SHRI R N BARMAN

SHRI A K M ISHAQUE

Will the Minister of PLANNING be pleased to state

(a) whether the tribal areas of Jhargram in Midnapore District (West Bengal), are amongst the most backward areas in the country, and

(b) if so what measures are being taken by the Government for economic development of those areas?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

Jhargram area in Midanapore District has been recognised as a backward area in the State by the State Government.

A specific allocation of Rs. 10 lakhs has been made by the State Government in the Annual Plan for 1973-74, which is for supplementing the development activities taken up with allocations from sectoral outlays from the normal plan and non-plan programmes of different departments. A Cell has also been set up known as Jhargram Affairs Branch of the State Development and Planning Department under the charge of a Cabinet Minister. Besides this Cell, there is a Jhargram Development Board for coordinating the execution of plans for development of this region.

Jhargram is also likely to benefit from the Central schemes of drought prone areas as well as from concessional finance from financial institutions and Central subsidy of 10 per cent on the fixed capital investment by industries, available to identified backward districts.

Besides the Minimum Needs programme to be taken up in the Fifth Plan will also help in developing this area.

SHRI R. N. BARMAN: May I know whether Government have in mind the extension of the Central subsidy scheme to other backward areas of West Bengal, as the scheme is going to be extended to Jhargram, as stated by the hon. Minister? If so, which are those places?

SHRI MOHAN DHARIA: The subsidy scheme has already been extended to the Jhargram area as the West Bengal Government has indentified this area as industrially backward naturally for concessional finance and also for 10 per cent subsidy.

SHRI R. N. BARMAN: May I know whether it is a fact that mere declaration of Central subsidy is not enough to attract industrialists in those areas and, if so, what other steps are under consideration for the development of those areas?

SHRI MOHAN DHARIA: The question is related to Jhargram area. The State Government has created a Jhargram Development Board. Similarly, a cell has been created at the State level and in order to develop those areas these agencies are created.

SHRI SAKTI KUMAR SARKAR: In view of the answer of the hon. Minister, may I ask whether, in respect of subsidies and incentives to the backward areas he has in mind any idea to sponsor any Central schemes for these backward areas, particularly the tribal areas?

SHRI MOHAN DHARIA: We shall have to take an integrated approach to all these problems. As we have indicated in the fifth Plan approach document, in order to give proper relief to these backward areas, several steps are being contemplated.

SHRI SAMAR GUHA: It is not a fact that about 80 to 90 per cent of the tribal people in Jhargram have neither land nor homesteads. In regard to have economic development, I want to know first, whether the Government is going to assure them at least homesteads first, and then whether they could make available for them the surplus land that may be available and, if so, may I know the steps taken by the Government?

SHRI MOHAN DHARIA: The Central Government has made it very clear that all those who are having no land in the rural areas will be given homesteads at the cost of the Central Government. Naturally, it will be applied to this area. Regarding the other subject, I have not got the figures with me.

WRITTEN ANSWERS TO QUESTIONS

Industrial Units in U.P. during Fifth Plan

*925. SHRI S. M. BANERJEE: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether a number of industrial units are likely to be established in Uttar Pradesh during the Fifth Plan;

(b) if so, what are those units; and

(c) the total financial aid likely to be given to the Uttar Pradesh Government for establishing these units in the public sector?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) and (b). The programmes for large and medium industries to be established during the Fifth Plan in the various States including Uttar Pradesh have not yet been finalised.

(c) Does not arise.

मध्य प्रदेश के मुरैना जिले के सबलगढ़ क्षेत्र में एक हरिजन युवक को जिन्दा जमीन में गाड़ दिया जाना

*930 **श्री हुक्म चन्द कछवाय** : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान दिनांक 10 अप्रैल, 1973 के 'हिन्दुस्तान' के पृष्ठ दो पर प्रकाशित इस समाचार की ओर दिलाया गया है कि मध्य प्रदेश के मुरैना जिले के सबलगढ़ क्षेत्र में होली के अवसर पर एक हरिजन युवक को जिन्दा जमीन में गाड़ दिया गया, जिसके परिणामस्वरूप उसकी मृत्यु हो गई; और

(ख) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है ?

गृह मंत्रालय तथा कार्मिक विभाग में राज्य मंत्री (श्री राम निवस मिर्धा) : (क) और (ख) सरकार ने सम्बन्धित समाचार देखा है जो 10 अप्रैल, 1973 के "हिन्दुस्तान" में प्रकाशित हुआ था। मुरैना जिले के सबलगढ़ क्षेत्र में किसी ऐसी घटना के होने की सूचना नहीं है जैसा समाचार में कहा गया है। किन्तु मध्य प्रदेश सरकार से प्राप्त सूचना के अनुसार, 17 मार्च, 1973 को मुरैना जिले की विजयापुर तहसील में गसवानी पुलिस स्टेशन में एक रिपोर्ट की गई थी कि ढौंढा गांव के श्री काशी राम जाटव को जो 16, 17 मार्च, 1973 की रात को अपने खेत की रखवाली कर रहा था; अपने खेत से लापता पाया गया। जांच-पड़ताल के दौरान दो व्यक्तियों ने जिनकी मृतक से शत्रुता थी, स्वीकार किया कि उन्होंने काशी राम जाटव की हत्या की है। मृतक का शव 18 मार्च, 1973 की सुबह बरामद किया गया जो जंगल में पत्थरों के नीचे छिपा कर रख दिया गया था। पुलिस ने भारतीय दण्ड संहिता की धारा 302 के अधीन एक अपराध दर्ज किया तथा दोषी व्यक्ति गिरफ्तार कर लिए गये। जांच-पड़ताल की जा रही है।

Participation by Farmers in Programmes Broadcast under Rural Section and Farm-Home of A.I.R., Delhi

*931. SHRI B. S. BHAURA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) how many farmers were invited to participate in the various programmes broadcast under the Rural Section and Farm-Home of A.I.R., Delhi during 1972;

(b) their number State-wise, *viz., Haryana, U.P. and Delhi and the*

special qualifications of the participants, and

(c) what action Government propose to take to improve the standard of Rural programmes of Delhi Station?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI I K GUJRAL) (a) 305

(b)	(i) Haryana	104
	(ii) U P	159
	(iii) Delhi	42

Participants in the programme include, besides Krishi Pandits, progressive farmers and other cultivators The only qualification for the farmers is that they should be actual cultivators

(c) The programmes are already widely appreciated but efforts are continuously made to improve their quality further by involving more and more farmers and making the programmes increasingly field-based

Alleged Propagation of Caste System by Shankaracharya of Puri

*932 SHRI M KATHAMUTHU

PROF MADHU DANDAVATE

Will the Minister of HOME AFFAIRS be pleased to state

(a) whether Jagadguru Shankaracharya of Puri has been openly championing the institution of caste with all its inequalities and injustices

(b) whether such open championing of caste system is being resented by a large section of the people and

(c) if so the steps Government have taken to discourage propagation of caste and social discrimination based on caste system?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) The Shankaracharya of Puri is reported to have spoken in favour of 'Chaturvarnya' at Kolhapur on the 18th March, 1973.

(b) There was a protest demonstration at Kolhapur on the occasion against Shankaracharya's advocacy of 'Chaturvarnya.'

(c) The Maharashtra Government are examining the Shankaracharya's speech to decide what legal action can be taken In the Untouchability (Offences) Amendment and Miscellaneous Provision Bill, 1972 a specific provision has been proposed making it an offence to justify the practice of untouchability on historical, philosophical or religious grounds The Bill is under the consideration of a Joint Committee

Compulsory Science Education upto School Level Recommended by a Group of the National Committee on Science and Technology

*933 SHRI G Y KRISHNAN Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state

(a) whether a group of the National Committee on Science and Technology has recommended that science education should be made compulsory upto the school level, and

(b) if so other recommendations made by National Committee on Science and Technology and the reaction of Government thereon?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM) (a) Yes Sir

(b) The Panel on Education and Scientific Research has made a number of recommendations aimed at bringing about structural changes in existing programmes and institutions so as to make education more purposeful and available to a larger body of students particularly in the rural areas These includes development of regional in-

strumentation facilities, augmentation of facilities for testing and analysis, establishment of regional science and technology libraries equipped with documentation facilities, evolving a suitable mechanism for funding basic research in universities, I.I.Ts. and similar institutions, etc. The NCST will consider these recommendations before Government takes a decision on them.

Benefit to People Living below poverty Line from Land Reforms Programme

*934. SHRI D. K. PANDA: Will the Minister of PLANNING be pleased to state:

(a) to what extent those who are below proverty line in the rural areas will be benefited by the revised land ceiling laws and other measures connected with land reforms;

(b) whether it is in the knowledge of Government that there is a concerted attempt by vested interests on land to defeat and sabotage the land reform measures; and

(c) if so, the measures taken by Government to enlist the active cooperation of the rural poor in defeating such sabotage attempts by vested interests?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) The ceiling laws of some States have recently been revised and in other States the laws are in the process of being amended in the light of the national guidelines on ceiling on agricultural holdings. Hence it will be too early to say to what extent those who are below the poverty line in the rural areas will be benefited by the revised land ceiling laws and other measures connected with land reforms.

(b) Yes, Sir.

(c) The national guidelines based on the conclusions of Chief Ministers' Conference held in July, 1972 contemplate the setting up of non-official bodies at appropriate levels for effective implementation of land reforms. All the States Governments have been advised accordingly.

उत्तर प्रदेश के अलमोड़ा और नैनीताल जिलों के स्वतन्त्रता सेनानियों को पेंशन देना

*935. **श्रीमती सावित्री श्याम :**

क्या **गृह मंत्री** यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के अलमोड़ा और नैनीताल जिलों से पेंशन के लिए कितने स्वतन्त्रता सेनानियों से प्रार्थना पत्र प्राप्त हुए हैं ;

(ख) उनमें से कितने प्रार्थना पत्रों पर विचार किया जा रहा है तथा कितनों को अस्वीकार कर दिया गया है; और

(ग) उन सभी प्रार्थना पत्रों पर कब तक अतिम्म रुप से विचार कर लिया जाएगा?

गृह मंत्री (श्री उमा शंकर दीक्षित): (क) और (ख): सूचना सदन के पटल पर रखे गये विवरण में दी गई है ।

(ग) : 31-3-1973 तक प्राप्त सभी आवेदन पत्रों की 14-8-1973 तक अर्थात् जयन्ती वर्ष में जांच पूरी करने तथा पात्र पाये गये अधिक से अधिक मामलों में पेंशन स्वीकृत करने के प्रयत्न किये जा रहे हैं ।

विवरण

जिला	प्राप्त आवेदन पत्र (28-4-73 तक)	स्वीकृत	रद्द	विचाराधीन (आवेदन-कर्ताओं/राज्य सरकारों से स्पष्टीकरण आने हैं)	लम्बित पड़े (अभी विचार होना है)
अलमोड़ा	528	196	64	70	198
नैनीताल	561	239	51	143	128

Use of Hindi Equivalents in Roman Script for Names of Ministries and Departments

*936. SHRI SEZHIYAN:
SHRI P. A. SAMINATHAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have issued instructions to the various Ministries and Departments and the Public Sector undertakings on the use of Hindi equivalents in Roman scripts for the names of the Ministries and Departments;

(b) if so, the particulars of such instructions; and

(c) whether any objections were raised for such use of Hindi equivalents to Roman scripts?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) to (c). The Eighty-Nineth Amendment to the Government of India (Allocation of Business) Rules, 1961 which replaced the First Schedule to the Rules was notified on 17th June, 1971. It described the names of the Ministries/Departments etc., in English with their Hindi equivalents in Roman script in brackets. Thus the Ministry of External Affairs was described as: Ministry of External Affairs (Videsh Mantralaya). Existing instructions for the description of names of Ministries/Departments etc., on letter heads were accordingly modified on 1st February, 1973 so as to conform to the description given in the First Schedule to the Government of India (Allocation of Business) Rules, 1961. The effect of the instructions in nutshell is that in letter heads, the Hindi names of the Ministries/Departments will be given first followed by their English equivalents with Hindi version in Roman script within brackets. Thus the letter head of the Ministry of External Affairs will be printed as under:

विदेश मंत्रालय

Ministry of External Affairs
(Videsh Mantralya)

No objections to the above instructions of 1st February, 1973 have been received.

Smugglers, spies Active on Punjab-Pak Border

*937. SHRI VARKEY GEORGE:
SHRI M. RAM GOPAL REDDY:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any steps have been taken by Government against the smugglers and spies active on Punjab-Pakistan border; and

(b) if so, the gist thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) and (b). Utmost vigilance is being maintained by all concerned agencies in this behalf and appropriate action under the penal and preventive provisions of law is also being taken against all persons known or suspected to be indulging in espionage and smuggling activities.

Policy of Expansion of Industries under Larger Houses

*938. SHRI C. K. CHANDRAPPAN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government propose to declare a new policy regarding the permissibility of expansion of industries under the control of larger houses;

(b) if so, the outlines of the proposal; and

(c) the reasons for adopting this new approach for the larger houses?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). The policy of Government with regard to participation of large industrial houses in industrial development has been explained in a Press Note dated 2nd

February, 1973, which clarified Government's decisions on industrial policy. Copies of the Press Note have been laid on the Table of the House in reply to Unstarred Question No. 281 answered on 21st February, 1973.

Memorandum from Namak Udyog Sangh, Phalodi

*939. SHRIMATI KRISHNA KUMARI OF JODHPUR: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government have received any memorandum from the Namak Udyog Sangh, Phalodi recently;

(b) if so, the main demands listed in the memorandum;

(c) whether a decision has since been taken thereon; and

(d) if so, the main features thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (d). The Namak Udyog Sangh, Phalodi submitted a printed memorandum to the General Manager, Northern Railway, New Delhi on 14th March, 1973.

The main demands listed in the memorandum are as under:—

(i) a guaranteed supply of 50 wagons per day by way of fixed quota may be sanctioned and that some system of supply per priority and ODR may be formulated;

(ii) the project of rail-line connecting Phalodi with Kolayatji may be executed expediciously; and

(iii) the ban imposed on loading of salt from stations of Bikaner Division may be removed.

The General Manager, Northern Railway has sent a reply to the Namak Udyog Sangh, Phalodi, stating that the loading of salt at Phalodi had improved during the year 1972-73 as compared to the loading of salt during the year 1971-72. The Sangh had also been apprised of the difficulties experienced by the Railways, owing to which further improvement in loading performance despite efforts had not been possible.

The proposal for linking of Phalodi with Kolayatji by rail was not found justified by the Railways.

As regards the removal of ban imposed on loading of salt from stations of Bikaner Division. The Railways informed the Namak Udyog Sangh that loading of salt had been restricted to salt producing areas in order to enable the local products also to move. Moreover, in order to enable the benefits of rail-transport being extended to other industries also, it has been decided to restrict the movement of salt from areas other than salt producing areas.

Lapses in Foreign collaboration

*940. SHRI P. M. MEHTA:
SHRI P. GANGADEB:

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether certain lapses in foreign collaboration have been pointed out to the Union Government;

(b) if so, what are the lapses reported; and

(c) what action is proposed to be taken not to allow these lapses in future?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) Government's policy in regard to foreign investment and collaboration has been selective, inas-

much as import of technology and know-how is allowed only for the items of manufacture for which indigenous capability has not adequately developed within the country. Consistent with this policy including the maximum use of indigenous resources such as raw material, machinery and equipment and technology, as also the need for conservation of scarce foreign exchange together with need to encourage growth of exports, foreign investment and collaboration are allowed primarily in high priority and specialised technology sectors so as to develop indigenous capacity in the vital economic sectors to the required extent. Recently a Committee consisting of top scientists and technologists was appointed to review this policy and make recommendations to Government. The Committee has just submitted its report which is under study.

(b) and (c). Do not arise.

Enquiry into the Missing of a Soviet Tourist from a Hotel in Delhi

8740. SHRI M. S. SIVASWAMY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any enquiry was held regarding the missing of a Soviet Tourist from a hotel in the capital on the 30th March, 1973; and

(b) if so, the result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Yes, Sir.

(b) On enquiry, it was found that the Soviet National had left Delhi by Pan American Flight No. 001 at 5.51 AM on 31st March, 1973.

Amount for Construction of Hostles for Girls Belonging to Scheduled Castes/Tribes

3741. SHRI BHAGIRATH BHANWAR: Will the Miniser of HOME AFFAIRS be pleased to state the amount of money proposed to be given to the State Governments, separately during 1973-74 for constructing hostels or for the extension of existing capacity of the hostels for girl students belonging to the Scheduled Castes and Scheduled Tribes?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): The amount tentatively earmarked for the scheme of hostels for girl students belonging to Scheduled Castes and Scheduled Tribes for 1973-74 is Rs. 41.53 lakhs (*i.e.*, Rs. 17.85 lakhs for Schedule Castes and Rs. 23.68 lakhs for Scheduled Tribes).

Assistance to States for Tribal Development Blocks

8742. SHRI BHAGIRATH BHANWAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the amount of assistance given to the States, State-wise, for the Tribal Development Block Programme Schemes;

(b) whether any evaluation has been made of the work done in this context during the Fourth Five Year Plan period; and if so, main points thereof; and

(c) what special measures are proposed to be taken for the economic development of the Tribals during the Fifth Five Year Plan period?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) A statement is laid on the Table of the House. [*Placed in Library. See* No. LT 4933/73]

(b) At the State level there is a system of evaluation of Tribal Development Blocks and other programmes, in particular by the Tribal Research Institutes.

The organisation of the Director General (Backward Classes Welfare) has conducted some surveys/studies

of certain Tribal Development Blocks in different States and the main findings are:

(i) Earmarked funds including C. D. provision have not been fully utilised.

(ii) In certain areas cooperative movement is weak and needs to be strengthened.

(iii) Irrigation facilities need to be increased.

The Commissioner for Scheduled Castes and Scheduled Tribes also makes a general review of the Tribal Development in the country as a whole. His Annual Report is laid on the Table of the House. The last report for the year 1969-70 has already been laid on the Table of the House.

The Parliamentary Committee on the welfare of Scheduled Castes and Scheduled Tribes has also taken up examination of the T. D. Block programme in different States. So far, the Committee has submitted a report on Gujarat (11th Report of the Fifth Lok Sabha) The Committee has also completed examination of T.D. Blocks in Madhya Pradesh and their report is awaited.

(c) In the Fifth Five Year Plan a new strategy for Tribal Development is envisaged under which integrated area development programmes for the tribal regions having more than 50 per cent tribal concentration are proposed to be prepared. Special attention is also proposed to be given to isolated tribal communities, tribals affected by industrial and other projects and shifting cultivators. The results of the evaluatory studies have been taken into account in framing the programme.

Assistance to Scheduled Castes and Scheduled Tribes Artisans for development of Cottage Industries

8743. SHRI K. MALLANNA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the amount of assistance given to the Scheduled Castes and Scheduled Tribe artisans in various States for the development of cottage industries;

(b) the number of beneficiaries in each State;

(c) the measures taken to offer employment or from cooperatives for those who have completed training;

(d) whether any evaluation has been made of the scheme; and if so, its outcome; and

(e) the steps proposed to streamline and intensify the schemes?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) to (e). The information is being collected and will be laid on the Table of the House.

Grade III Officers of Indian Statistical Service in the National Sample Survey Organisation

8744. SHRI S. C. SAMANTA: Will the Minister of PLANNING be pleased to state:

(a) the number of Grade III officers of the Indian Statistical Service in the National Sample Survey Organisation (Field Operations Division) who have been working there continuously since the inception of the Service, and

(b) the reasons for their continued stay in that Organisation and not rotating them in other Offices/Organisations/ Branches of the Department of Statistics?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) There is no officers belonging to Grade III of the Indian Statistical Service who has been working in that capacity in the Field Operations Divisions, National

Sample Survey Organisation, continuously since the inception of the Service.

(b) Does not arise.

House Tax Leviable in Delhi

8745 SHRI K SURYANARAYANA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a judgment was delivered by the Delhi High Court last year that the House Tax leviable by the Delhi Municipal Corporation on residential houses should be subject to the maximum of 7½ per cent of the capital cost thereof,

(b) whether the Delhi Municipal Corporation continue to levy House Tax according to their slab despite the High Court's verdict, and

(c) if so, the remedial measures which Government propose to take to set matters right?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN) (a) to (c) In the case of Dewan Daulat Ram Kapur v/s the Municipal Corporation of Delhi, the Delhi High Court held as follows on 16th November, 1972

(1) In the case of rented premises the annual value shall not exceed the standard rent if fixed by the Controller or statutorily determined under the Delhi Rent Control Act, 1958, and in other cases where the standard rent has not been fixed, the annual value shall not exceed the standard rent unless the agreed rent is tainted by fraud, collusion, emergency, relationship and such other consideration

(2) In the case of premises not let in the year of assessment but let at any time previous to it, the annual value shall not exceed the standard rent if fixed earlier by the Controller or statutorily determined under the Delhi Rent Act and, in the absence of such fixation or determination, the annual value shall exceed the agreed rent in the earlier years

(3) In the case of premises which have never been let at any time or premises whose annual value is being fixed for the first time, the annual value shall not exceed the amount arrived at in accordance with the provisions of section 6(1)(A)(b) or section 6(1)(B)(2)(b) of the Delhi Rent Control Act 1958 as the case may be and, in case it is not so ascertainable then on the principles contained in sub-section (4) of section (9) of the Delhi Rent Act

The judgment pertained to the annual value (rateable value) of the premises, on which the house-tax is calculated and not to house-tax as such Rateable values of all premises are being determined in accordance with the above judgment In so far as the above judgment pertains to the determination of rateable value of self-occupied residential premises, the Municipal Corporation of Delhi has filed an appeal before the Supreme Court The Delhi High Court has already given a certificate of appeal in the matter

Barring of STD Facilities on Telephones installed for P & T. Officers.

8746 SHRI K SURYANARAYANA: Will the Minister of COMMUNICATIONS be pleased to refer to the reply given to USQ No 6055 dated the 4th April, 1973 regarding alleged misuse of STD Calls by P & T Officers and state

(a) whether the Ministry of Finance O M dated the 5th October, 1972 envisages the barring of telephones even in Offices from STD facilities in res-

pect of Officers drawing upto Rs. 1800 p.m.;

(b) if so, the considerations which have weighed with his Ministry is not following these orders in case of Officers of equivalent rank in the P & T Department especially when trunk facilities are also made available to them and the calls put through on the trunk lines are not paid for but treated as departmental and adjusted on paper only; and

(c) what measures have been taken in barring of STD facilities in respect of residential telephones of Gazetted Officers at various levels in the P & T Department as envisaged in Ministry of Finance O.M. referred to in part (a) above?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA): (a) Yes.

(b) The matter is under consideration of the P & T Board in consultation with Ministry of Finance.

(c) The STD service is barred from residential connections if a request to that effect is received from the officers concerned. The directive of the Finance Ministry regarding limitation of cal's from residential service connections Is being followed by the Department.

Prescribed period of stay of an officer of Indian Statistical Service in the Ministries

8747 SHRI K. SURYANARAYANA: Will the PRIME MINISTER be pleased to state:

(a) whether any stay for an officer of the Indian Statistical Service in any Department or Ministry either in Grade III or Grade IV has been prescribed; and if so, what; and if not the reasons therefor;

(b) the number of Grade III and IV officers of the Indian Statistical Service in the Planning Commission and Ministry of Health and Family Planning who had been working there continuously since the inception of the service; and

(c) the reasons for their continued stay in the present Ministries/Departments?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) No, Sir. No tenure is prescribed for holding cadre posts in the Indian Statistical Service in any Ministry or Department. For ex-cadre posts, a normal tenure of 3 years is prescribed.

(b) Four Grade III officers in the Ministry of Health and Family Planning and one Grade III officers in the Planning Commission have been working in the respective organisations since the inception of the Service. No Grade IV officer has served continuously in the same Ministry/Department since the inception of the service.

(c) These officers were allowed to continue in the same Organisations as there were vacancies in Grade III posts in these organisations at the time of their promotion from Grade IV to Grade III. Efforts are made to rotate officers who have served for more than three years in the same organisation amongst other organisations participating in the Indian Statistical Service.

तृतीय वेतन आयोग की सिफारिशों को खादी तथा ग्रामोद्योग आयोग के कर्मचारियों पर लागू करना

8748. **श्री हीरालाल डोडा :** क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि

(क) क्या तृतीय वेतन आयोग की रिपोर्ट में की गई सिफारिशों को सरकार द्वारा स्वीकार कर लिए जाने के बाद खादी तथा ग्रामोद्योग आयोग और खादी आयोग के अधीन सभी भवनो

में काम करने वाले कर्मचारियों पर लागू किया जायेगा ; और

(ख) यदि नही, तो इसके क्या कारण है?

औद्योगिक विकास मे मंत्रालय उपमंत्री (श्री जियाउर्रहमान अंसारी) : (क) खादी और ग्रामोद्योग कमीशन तथा खादी कमीशन के अधीन खादी भवनो के कर्मचारियो पर तृतीय वेतन आयोग की सिफारिशे लागू करने पर सरकार आयोग द्वारा तब विचार किया जायेगा जब सरकार उस रिपोर्ट मे निहित सिफारिशो को मान लेगी ।

(ख) प्रश्न ही नही उठता ।

खादी ग्रामोद्योग भवन, नई दिल्ली में पशमीना कांड

8749. श्री हीरा लाल डोडा : क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार और खादी तथा ग्रामोद्योग आयोग के ग्रामोद्योग भवन नई दिल्ली के पशमीना काड, जिसमे लगभग चार हजार रुपये की राशि अन्तर्ग्रस्त है, के बारे मे शिकायत मिली है ; और

(ख) यदि हा, तो शिकायत कब प्राप्त हुई थी । इन पर अब तक क्या कार्यवाही की गई है अथवा करने का विचार है ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी) : (क) और (ख). खादी तथा ग्रामोद्योग आयोग शिकायत की जांच कर रही है ।

खादी तथा ग्रामोद्योग आयोग में व्यापारिक कर्मचारियों का नियमित कर्मचारियों के रूप में वीकृत किया जाना

8750. श्री हीरा लाल डोडा : क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे की.

(क) क्या खादी तथा ग्रामोद्योग आयोग अपने सभी व्यापारिक कर्मचारियों को आयोग का नियमित कर्मचारी वीकृत करने जा रहा है ; और

(ख) यदि हा, तो उन्हे उक्त आयोग के ग्रेड तथा अन्य सभी सुविधाए कब से उपलब्ध की जायेगी ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी) : (क) और (ख) सूचना इकट्ठी की जा रही है और सभा पटल पर रख दीजाएगी ।

अन्तरिक्ष विभाग में हिन्दी टाइप-राइटिंग स्टेनोग्राफी प्रशिक्षण

8751. श्री भागीरथ भंवर क्या अन्तरिक्ष मंत्री यह बताने की कृपा करेंगे कि :

(क) अन्तरिक्ष विभाग मे कितने व्यक्ति हिन्दी शिक्षण योजना तथा हिन्दी टाइप राइटिंग/स्टेनोग्राफी प्रशिक्ष योजना के अन्तर्गत प्रशिक्षण प्राप्त कर चुके हैं अथवा प्राप्त कर रहे हैं; और

(ख) सरकार की नीति के अनुसार सभी कर्मचारियो को हिन्दी मे प्रशिक्ष

देने के लिए क्या कार्यक्रम बनाया गया है ?

प्रधान मंत्री, परमाणु ऊर्जा मंत्री, इलैक्ट्रानिक्स मंत्री, सूचना और प्रसारण मंत्री तथा अन्तरिक्ष मंत्री (श्रीमती इन्दिरा गांधी). (क) और (ख). अन्तरिक्ष विभाग के अडतालीस अधिकारियो व कर्मचारियो मे से, उन अधिकारियो और कर्मचारियो की संख्या, जो पहले से ही योजना के अन्तर्गत प्रशिक्षण सहित हिन्दी मे कुछ योग्यता रखते है, इकतालीस है । एक टाइपिस्ट को हिन्दी टाइपराइटिंग मे प्रशिक्षण दिया गया है। शेष व्यक्तियो को प्रशिक्षण देने के लिए, जिनमे हिन्दी टाइपराइटिंग तथा स्टेनोग्राफी का प्रशिक्षण भी शामिल है, एक योजना बनाई जा रही है ।

नीमच में सीमेन्ट कारखाना

8753. **श्री हुकम चन्द कछवाय :** क्या औद्योगिक विकास मंत्री 2 मार्च 1973 के अतारांकित प्रश्न संख्या 4142, के उत्तर के सम्बन्ध मे यह बताने की कृपा करेंगे कि :

(क) क्या नीमच, मध्य प्रदेश मे एक सीमेंट कारखाना स्थापित करने के प्रश्न पर इस बीच विचार कर लिया गया है ;

(ख) यदि हां, तो कारखाना स्थापित करने सम्बन्धी कार्य के कब तक प्रारम्भ किए जाने की सम्भावना है, और

(ग) कारखाने का वार्षिक उत्पादन कितना होगा ?

औद्योगिक विकास मंत्रालय में उप-मंत्री (श्री प्रणव कुमार मुखर्जी) : (क) और (ख) पब्लिक इनवैस्टमेन्ट बोर्ड (लोक निवेश बोर्ड) की आगामी बैठक मे इस बात पर विचार किए जाने की सभावना है । तत्पश्चात् अन्तिम निर्णय लिया जायेगा ।

(ग) इस कारखाने मे अनुमानत 3 40 मीट्रिक टन प्रतिवर्ष उत्पादन होगा ।

Hardships to Telephone users in Delhi in the absence of New telephone Directory

8754 DR H P. SHARMA: Will the Minister of COMMUNICATIONS be pleased to state·

(a) the percentage of telephone numbers that have been added or altered since the current edition of Delhi Telephone Directory was issued; and

(b) whether Government are aware of the hardship of users of telephone owing to delay in issue of the new directory and the number of calls made by users per month exclusively for knowing the new telephone numbers in Delhi and resultant loss of money to the public during 1972-73 and 1973-74 (up-to-date)?

THE MINISTER OF COMMUNICATIONS (SHRI H N BAHUGUNA): (a) and (b) The requisite information is being collected and will be placed on the Table of the Lok Sabha.

मध्य प्रदेश के जनजाति क्षेत्रों के औद्योगिकरण के लिए केन्द्रीय सरकार द्वारा निवेश

8755. **श्री गंगा शरण दीक्षित :** क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि क्या केन्द्रीय सरकार

ने मध्य प्रदेश को मध्य प्रदेश राज्य मे जनजाति क्षेत्रो के औद्योगीकरण के लिए विशेष प्रयास करने हेतु कोई निदेश दिये है, यदि हा, तो क्या ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी) यद्यपि पूर्णरूपेण आदिम जाति क्षेत्रो का औद्योगिक विकास करने के लिए कोई विशेष कार्यक्रम नही बनाया गया है परन्तु क्षेत्रीय असतुलन को दूर करने की दृष्टि से सरकार ने सहायता एव प्रोत्साहन की कुछ योजनाए बनाई है । मध्य प्रदेश सरकार सहित सम्बन्धित राज्य सरकारो / सघ राज्य प्रशासनो को परामर्श दिया गया है कि वे इन योजनाओ की सहायता से अपने अपने राज्यो मे पिछडे क्षेत्रो के विकास के लिए उत्साह वर्द्धक कदम उठाए ।

मध्य प्रदेश के पूर्व निमाड़ जिले के गावो में टेलीफोन की व्यवस्था

8756. **श्री गगा चरण दीक्षित :** क्या **संचार मंत्री** यह बताने की कृपा करेगे कि

(क) मध्य प्रदेश के पूर्व निमाड जिले के कितने प्रतिशत गावो मे टेलीफोन की सुविधा प्रदान की गई है और इस सम्बन्ध मे राज्यवार तथा जिलेवार आकडो की तुलना मे इनकी स्थिति क्या है

(ख) मध्य प्रदेश मे कितने प्रतिशत गावो का टेलीफोन सुविधा उपलब्ध नही है और समूचे देश तथा राज्यवार आकडो की तुलना मे इनकी स्थिति क्या है, और

(ग) चौथी पचवर्षीय योजना के दौरान कितने प्रतिशत गावो मे टेलीफोन सुविधाए प्रदान की गई है ?

संचार मंत्री (श्री हेमवती नन्दन बहुगुणा) (क) मध्यप्रदेश के पूर्वी निमाड जिले मे जिन गावो मे टेलीफोन सुविधा दी गई है, वे 0 5546 प्रतिशत है । मध्य प्रदेश राज्य मे तत्सम्बन्धी प्रतिशत 0 2642 है । जिलेवार आकडे विवरण 1 मे दिए गए है । विवरण सभा पटल पर रखा गया । [ग्रन्थालय मे रखा गया । देखिए सख्या **LT** 4934 73]

(ख) जिस स्वरूप मे सूचना मागी गई है, उस स्वरूप मे यह उपलब्ध नही है तथापि, प्रत्येक राज्य मे हर 1000 व्यक्तियो पर तारीख 1-4-72 को जितने टेलीफोन मौजूद थे, उन की सख्या विवरण 11 मे दी गई है । विवरण सभा पटल पर रखा गया । [ग्रन्थालय मे रखा गया । देखिए सख्या **LT** 4934/73]

(ग) मध्य प्रदेश के जिन गावो मे चौथी पचवर्षीय योजना के पहले चार सालो मे टेलीफोन सुविधा दी गई थी, वे 0 1422 प्रतिशत है ।

नेपा मिल के कर्मचारियो के लिए क्वार्टरों का निर्माण

8757. **श्री गगा चरण दीक्षित :** क्या **औद्योगिक विकास** मत्री यह बताने की कृपा करेगे कि

(क) नेपा मिल (मध्य प्रदेश) मे कितने कर्मचारी काम कर रहे है,

(ख) उनके लिए कुल कितने क्वार्टर बनाए गए है , और

(ग) उसमें काम कर रहे सभी कर्मचारियों / श्रमिकों को क्वार्टर आवंटित करने के लिए क्या कदम उठाये जा रहे हैं ?

औद्योगिक विकास मंत्रालय में उप-मंत्री (श्री प्रणव कुमार मुखर्जी): (क) 2103 ।

(ख) 1550 ।

(ग) क्वार्टरों का निर्माण प्रावस्था-बद्ध आधार पर हो रहा है । दूसरी प्रावस्था में 200 क्वार्टरों के बनाने की स्वीकृति दे दी गई है । तृतीय प्रावस्था में और क्वार्टर बनाने के कार्यक्रम पर विचार किया जा रहा है ।

इंदौर (मध्य प्रदेश) में केन्द्रीय औद्योगिक संस्थान

8758. **श्री गंगा चरण दीक्षित** : क्या **औद्योगिक विकास** मंत्री यह बताने की कृपा करेंगे कि मध्य प्रदेश के इंदौर डिवीजन में कितने केन्द्रीय औद्योगिक संस्थान हैं ?

औद्योगिक विकास मंत्रालय में उप-मंत्री (श्री जिआउर्रहमान अंसारी) : इन्दौर संभाग (मध्य प्रदेश) में एक केन्द्रीय प्रतिष्ठान, मंदसौर की सीमेंट फैक्टरी है ।

मध्य प्रदेश में अनुसूचित जातियों तथा अनुसूचित जनजातियों की जनसंख्या

8759. **श्री गंगा चरण दीक्षित** : क्या **गृह** मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय मध्य प्रदेश में जिला वार अनुसूचित जातियों तथा अनुसूचित जनजातियों की जनसंख्या कितनी है और

(ख) यह जनसंख्या मध्य देश राज्य की कुल जनसख्या और पूर्व निमाड जिले की कुल जनसंख्या की तुलना में कितने कितने प्रतिशत है ?

गृह मंत्रालय में उप-मंत्री (श्री एफ० एच० मोहसिन) : (क) 1971 की जनगणना के अनुसार मध्य प्रदेश में अनुसूचित जातियों और अनुसूचित जनजातियों की जिलेवार जनसंख्या संलग्न विवरण में दी गई है। विवरण सभा पटल पर रखा गया। [**ग्रन्थालय में रखा गया** देखिए संख्या LT–4935/73]

(ख) मध्य प्रदेश तथा पूर्व नीमांड जिले में 1971 की जनगणना के अनुसार कुल जनसंख्या की तुलना में अनुसूचित जातियों तथा अनुसूचित जनजातियों की जनसंख्या का प्रतिशत नीचे दिया गया है :

	कुल जनसंख्या का प्रतिशत	
	अनुसूचित जाति	अनुसूचित जनजाति
मध्य प्रदेश	13.9	20.14
खण्डवा (पूर्व नीमाड)	9.12	7.53

Report of Inquiry into Explosions in a building in Bhavnagar, Gujarat

8760. SHRI M. S. SIVASWAMY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the services of the Chief Inspector of Explosives, Nagpur

were summoned by the Gujarat Government and a probe was held into the causes of the two explosions in a building in Bhavnagar of the 24th March, 1973 in which two persons were killed and some others injured: and

(b) if so, the result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Yes, Sir. The Controller of Explosives, West Circle, Bombay, visited the scene of incident on the 26th March, 1973, and sent samples to the Chemical Analyser Junagadh, on the same day.

(b) The detailed report from him is still awaited

Hunt in India for an actor to play the part of Mahatma Gandhi in Film Biography

8761 SHRI M S SIVASWAMY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether any hunt for the actor to play the part of Mahatma Gandhi in new film biography to be directed by Mr Richard Attenborough from London was made recently in India, and

(b) if so, the help given to the Director by Government in solving the issue?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) Government have no specific information concerning this matter.

(b) Government have not yet been approached for any help in this connection.

कुछ बड़े समाचार-पत्रों द्वारा अपनी वित्तीय स्थिति तथा कार्य प्रणाली सम्बन्धित सूचनायें दिया जाना

8762. श्री बनजाहु प्रधान : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कुछ बड़े समाचार-पत्र अपनी वित्तीय स्थिति एवं कार्यप्रणाली से सम्बन्धित पर्याप्त सूचनायें सरकार को देने की स्थिति में नहीं हैं ; और

(ख) यदि हां, तो ऐसे समाचार-पत्रों के नाम क्या हैं और सरकार ने इस सम्बन्ध में क्या कार्यवाही की है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री धर्मवीर सिंह) : (क) और (ख) . समाचार-पत्र उद्योग की आर्थिक व्यवस्था की जांच करने के लिए सरकार ने अप्रैल, 1972 में एक तथ्य अन्वेषक समिति नियुक्त की थी । समिति ने सितम्बर, 1972 में सभी दैनिक समाचार-पत्रों को एक विस्तृत प्रश्नावली जारी की थी । बार-बार अनुस्मारक भेजने के बावजूद भी, 49 बड़े समाचार-पत्रों में से केवल 26 ने ही अभी तक प्रश्नावली के उत्तर भेजे है । समिति को जांच आयोग अधिनियम, 1952 के अन्तर्गत अधिकार दे दिए गए हैं ताकि वह सभी दोषी समाचार-पत्रों से अपेक्षित सूचना उपलब्ध कर सके ।

एक विवरण संलग्न है जिसमें समाचार-पत्रों के नाम दिए गए है ।

विवरण

50,000 से अधिक खपत संख्या वाले उन दैनिक समाचार-पत्रों की सूची जिनसे प्रश्नावली के उत्तर नहीं मिले है ।

(24-4-1973 की स्थिति)

1.	लोकसत्ता	मराठी बम्बई
2.	हिन्दुस्तान	हिन्दी नई दिल्ली

3. हिन्दुस्तान टाइम्स	अंग्रेजी	नई दिल्ली
4 डेली तान्ती	तमिल	मद्रास
5 स्टेट्समैन	अंग्रेजी	कलकत्ता
6 केरल कौमदी	मलयालम	त्रिवेन्द्रम
7 *दिनमणि	तमिल	मदुराई
8 इंडियन एक्सप्रैस	अंग्रेजी	बम्बई
9 सन्देश	गुजराती	अहमदाबाद
10 साकल	मराठी	पूना
11 बम्बई समाचार	गुजराती	बम्बई
12 गुजरात समाचार	गुजराती	अहमदाबाद
13 इंडियन एक्सप्रैस	अंग्रजी	नई दिल्ली
14 आन्ध्र प्रभा	तेलुगु	विजयवाडा
15 *इंडियन एक्सप्रैस	अंग्रेजी	मदुराई
16 *इंडियन एक्सप्रैस	अंग्रेजी	विजयवाडा
17 *इंडियन एक्सप्रैस	अंग्रेजी	बंगलौर
18 नवाकाल	मराठी	बम्बई
19. *दिनमणि	तमिल	मद्रास
20. कन्नड प्रभा	कन्नड	बंगलौर
21. दैनिक तान्ती	तमिल	तिरुचिरापल्ली
22. जन सत्ता	गुजराती	अहमदाबाद
23 मराठा	मराठी	बम्बई

*डियन एक्सप्रैस के दक्षिण भारत के 4 सस्करणो (मद्रास, मदुराई, विजयवाडा तथा बगलौर) के बारे मे अप्रैल, 1971 को समाप्त होने वाले वर्ष के बारे मे ही उत्तर मिले हैं , उत्तरो मे सभी 4 सस्करणो के मिले जुले आकड दिये गये हैं । इसी प्रकार, दिनमणि (तमिल दैनिक) के 2 सस्करणो (मद्रास तथा मदुराई) के बारे मे अप्रैल, 1971 को समाप्त होने वाले वर्ष के ही मिले जुले आकडे प्राप्त हुए है । इडियन एक्सप्रैस (मदुराई) प्रा० लिमिटेड के निदेशक म इडियन एक्सप्रैस तथा दिनमणि के प्रत्येक सस्करण के पिछले तमाम पाच वर्षों के अलग अलग आकडे तथा 3 और वर्षों के अनुमानित आकड जैसा कि समिति चाहती है, अलग अलग आकडे भेजने के लिए कहा गया है ।

Rate of Growth of GNP

8763 SHRI DINESH SINGH Will the Minister of PLANNING be pleased to state

(a) the rate of growth of GNP in 1971-72 and 1972-73,

(b) whether the release of this information has been delayed as compared to previous years, and

(c) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI

MOHAN DHARIA): (a) Information is not yet available.

(b) No, Sir.

(c) Does not arise.

निर्माताओं द्वारा कोका कोला और लिम्का के मूल्य में वृद्धि

8764. **श्री भारत सिंह चौहान** : क्या **औद्योगिक विकास** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या निर्माताओं ने कोका कोला और लिम्का के मूल्य में 5 पैसे प्रति बोतल के हिसाब से वृद्धि कर दी है, जिनका मल्य पहले क्रमश: 50 पैसे और 55 पैसे प्रति बोतल था ;

(ख) क्या उक्त वृद्धि सरकार की अनुमति से की गई है ; और

(ग) यदि हां, तो सरकार ने यह निर्णय किन कारणों से किया ?

औद्योगिक विकास तथा विज्ञान और औद्योगिकी मंत्री (श्री सी० सुब्रह्मण्यम) : (क) ऐसा समझा जाता है कि हाल ही में कोका कोला और लिम्का के विक्रय मूल्य में वृद्धि हुई है ।

(ख) हल्के पेय अत्यावश्यक वस्तु अधिनियम के अन्तर्गत नहीं आते हैं । अतएव उनकी कीमतें बढ़ाने में सरकार की अनुमति आवश्यक नहीं है ।

(ग) प्रश्न ही नहीं उठता ।

बिहार राज्य खादी ग्रामोद्योग संघ के यूनियन के कार्यकर्त्ताओं पर मुकदमा चलाया जाना

8765. **श्री कमल मिश्र मधुकर** : क्या **औद्योगिक विकास** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बिहार राज्य खादी ग्रामोद्योग संघ के उन 200 यूनियन कार्यकर्ताओं पर अधिकारियों द्वारा मुकद्मे चलाये जा रहे हैं, जिन्होंने अपना मांगों के समर्थन में पिछले साल के अन्त में हड़ताल की थी ;

(ख) क्या यह आरोप लगाया गया है कि इन कार्यकर्ताओं पर अत्याचार किया गया; और

(ग) यदि हां, तो इस सम्बन्ध में सरकार ने अब तक क्या कार्यवाही की है ?

औद्योगिक विकास मंत्रालय में उप-मंत्री (श्री जिआउर्रहमान अंसारी): (क) से (ग). सूचना इकट्ठी की जा रही है और सभा पटल पर रख दी जायेगी ।

Demonstration by T.V. Staff Artistes against recruitment policy

8766. SHRI R. R. SHARMA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the T.V. Staff Artistes recently demonstrated against the recruitment policy of Staff Artistes for the T.V.; and

(b) if so, reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) Yes, Sir.

(b) Their demand was for better promotion avenues. They demanded that a quota may be fixed for departmental promotion to the post of Producers (Grade II). This demand is considered from all aspects.

Issue of Commemeration Stamp on Bangladesh

8767. SHRI M. RAM GOPAL REDDY: Will the Minister of COMMUNICATIONS be pleased to state whether Government issued a special stamp on Bangladesh commemoratir.g the birth of the nation?

THE MINISTER OF COMMUNICATIONS (SHRI H. N BAHUGUNA): A special Postage Stamp was issued on the 10th April, 1973 to mark the inauguration of the New Parliament of Bangladesh.

Generation of Power from Hot Gas

8768 SHRI P GANGADEB

SHRI P. M. MEHTA:

Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Indian Scientists have drawn up the design of power plant that will produce 25 megawatts of electric power from Hot Gas;

(b) whether the Indian design is reported to be similar to the world's first and only MHD generator which has been producing electricity since December, 1971 on the outskirts of Moscow in the Soviet Union; and

(c) whether Expert group appointed by the National Committee of science has recommended that work on MHD power generator be started at the earliest; and if so, Government's reaction thereto?

TH MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) Preliminary studies have been carried out on the feasibility of utilising products of coal gasification for MHD power generation. For purposes of this study a power output of 25MW from the MHD generator was considered.

(b) No, Sir.

(c) NCST has recommended that experiments on laboratory scale must be initiated on coal based MHD programme. These initial laboratory experiments would be at power levels of 1 to 2 MW.

Classification of Scheduled Castes and Scheduled Tribes

8769. SHRI KARTIK ORAON: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is discrimination in the method of classification between Scheduled Castes and Scheduled Tribes; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H. MOHSIN). (a) and (b). In determining whether a community should be included in the list of Scheduled Castes or the list of Scheduled Tribes, Government have been guided by the following criteria:

> Scheduled Castes. Extreme social, educational and economic backwardness arising out of that traditional practice of untouchability.
>
> Scheduled Tribes: Indications of primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large and backwardness.

In the case of the Scheduled Castes, the main criterion is the existence of tangible handicaps arising out of the traditional practice of untouchability. Since this practice exists only among members of the Hindu and Sikh religions, the Presidential Orders lay down that only persons belonging to these

two religions can be considered to be members of the Scheduled Castes

केन्द्रीय कानूनों का उल्लंघन करके होने वाले अपराधों की केन्द्रीय जांच ब्यूरो द्वारा जांच

8770. **श्री विभूति मिश्र** : क्या गृह मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या विभिन्न आयोग ने सिफारिश की है कि केन्द्रीय कानूनों का उल्लंघन करके होने वाले अपराधों की जांच केवल केन्द्रीय जांच ब्यूरो द्वारा ही की जानी चाहिए, और

(ख) यदि हां, तो क्या सरकार इसके लिए कोई कानून बनाने की बात सोच रही है ?

गृह मंत्रालय तथा कार्मिक विभाग में राज्य मंत्री (श्री राम निवास मिर्धा) : (क) जी नहीं, श्रीमान् ।

(ख) प्रश्न नहीं उठता ।

Reliance of General sector for development of Tribal Areas during Fifth Plan

8771. SHRI GIRIDHAR GOMANGO Will the Minister of PLANNING be pleased to state:

(a) whether in the Approach to Fifth Five Year Plan, reliance has been placed on general sector for development of tribal areas; and

(b) the allocations for tribal areas out of the total outlay proposed for irrigation and power in Fifth Plan, under Central Sector and State Sector?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir.

(b) Sectoral allocations under the Fifth Plan, including outlay on irrigation and power in the Central and State Sectors, are being worked out. While selecting new schemes for implementation during the Fifth Plan, emphasis would be given to irrigation programmes which will benefit tribal areas Tribal areas will receive adequate attention in preparing rural electrification programmes in the Fifth Five Year Plan. Minimum needs programme of Rs. 3300 crores will also help to a great extent in developing the tribal areas in the Fifth Five Year Plan

एक टैक्सी ड्राइवर द्वारा 2058 रुपये का चैक लेकर भाग जाना शीर्षक से प्रकाशित समाचार

8772. **श्री महा दीपक सिंह शाक्य** : क्या गृह मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार का ध्यान 19 दिसम्बर, 1972 के 'हिन्दुस्तान' समाचार पत्र में प्रकाशित इस आशय के समाचार की ओर दिलाया गया है कि एक टैक्सी ड्राइवर 2058 रुपये का चैक लेकर भाग गया है,

(ख) क्या यह टैक्सी टूरिस्ट सर्विस की है, और

(ग) यदि हां तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

गृह मंत्रालय में उप-मंत्री (श्री एफ० एच० मोहसिन): (क) जी हां, किन्तु समाचार 20-12-1972 को प्रकाशित हुआ था न कि 19-12-1972 को ।

(ख) जी हां ।

(ग) टूरिस्ट सर्विस के एक साझेदार से शिकायत प्राप्त होने पर जिसमें अन्य

बातों के साथ साथ यह आरोप लगाया गया था कि उनके ड्राइवर ने 2058 रू० का एक चैक कम्पनी को नहीं सौंपा जो एक पार्टी से प्राप्त हुआ था पुलिस स्टेशन पार्लियामेंट स्ट्रीट नई दिल्ली में 18 दिसम्बर 1972 को एक मामला दर्ज किया गया था। मामले की जांच पड़ताल की जा रही है।

Inquiry into charges of corruptions against the Director of Central Fuel Research Institute, Dhanbad

8773 SHRI JYOTIRMOY BOSU
SHRI ROBIN SEN

Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state

(a) whether the Director General of Vigilance enquired in the year 1971-72 into certain complaints of corruption and malpractices against the Director of Central Fuel Research Institute Dhanbad (Bihar),

(b) if so, the findings of the Director General of Vigilance,

(c) the action government intend to take against the Director, and

(d) whether CFRI Branch of CSIR—Scientific Workers Association had sent in the year 1972 to the Director General (CSIR), New Delhi and the Director General of Vigilance of CSIR New Delhi allegations of financial corruption against the Director, and if so, the action taken in the matter?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c) The Director General of Vigilance received from the Sarkar Committee 9 complaints alleging corruption and malpractices against the Director, Central Fuel Research Institute, Jealgora The Director-General of Vigilance made preliminary investigations which showed that there was no *prima facie* case established in 8 complaints In the remaining one case report of Director-General of Vigilance was considered by the Central Vigilance Commission and on their advice, no action was taken against the Director, Central Fuel Research Institute

(d) Yes, Sir The matter has been referred to Director-General of Vigilance for preliminary investigations

Production Assistants for T V. Delhi

8774 SHRI RAJDEO SINGH Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether any criteria for the selection of Production Assistants for T V Delhi have been formulated,

(b) what was the total number of applications received in April/May, 1972 for said posts,

(c) the number of applicants selected with their qualifications and grounds for rejection of others, and

(d) whether more qualified and experienced persons in the field were altogether ignored and intimation about the rejection was sent several months after?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA) (a) Yes, Sir. The qualification prescribed for the post are as under:

Essential

Degree from a recognised University with experience in assisting in production or representation or experience of programme in radio T V./ Films/Theatre or in any other communication media

Desirable

Background of current affairs.

(b) 264.

(c) 34 candidates, who were found to be of the required standard, were approved for appointment in order of merit. The candidates rejected were not found to be of the required standard.

(d) No, Sir. More qualified and experienced candidates were not ignored. However, due to pressure of other work, there was some delay in intimating the rejected candidates

ग्रेटर कैलाश, नई दिल्ली के डाकघर से एक खजांची का फरार हो जाना

8775. **श्री फूलचन्द वर्मा :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि

(क) क्या ग्रैटर कैलाश नई दिल्ली के एक डाकघर से एक खजाची कुछ समय पहले 16 हजार रुपये लेकर फरार हो गया था, और

(ख) यदि हा, तो इस मामले मे सम्बन्धित तथ्य क्या है और अब तक इस बारे मे क्या कार्यवाही की गई है ?

संचार मंत्री (श्री हेमवती नन्दन बहुगुणा) (क) और (ख) जी हा । तारीख 26-3-1973 को मुबह नायब-पोस्टमास्टर ने यह पाया कि खजाने के कमरे मे डबल ताले वाली लोहे की तिजोरी खुली पडी है । विभाग ने इसकी तत्काल जाच-पडताल की जिससे पता चला कि नकदी और डाक-टिकट मिला कर कुल 10,162 11 पये कम थे । 6000 रुपये का एक बीमाशुदा पत्र भी गुम पाया गया ।

इस मामले की रिपोर्ट पुलिस को कर दी गई । पुलिस अभी मामले की तफतीश कर रही है । नायब-पोस्टमास्टर को गिरफ्तार कर लिया गया है । श्री गोपाल कृष्ण चढ्ढा नाम का एक अन्य कर्मचारी फरार है और उसका अभी तक पता नही चल सका है ।

प्रवर डाक अधीक्षक, इंदौर के विरुद्ध कथित अनियमितताओं की शिकायत

8776. **डा० लक्ष्मीनारायण पांडेय :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या डाक प्रवर अधीक्षक, इदौर के विरुद्ध भ्रष्टाचार एव अनियमितताओ के बारे मे शिकायत प्राप्त हुई है ,

(ख) यदि हा, तो इस बारे मेक्या कार्यवाही की गई है , और

(ग) क्या इस प्रकार की शिकायते 1969-70 मे भी प्राप्त हुई थी ?

संचार मंत्री (श्री हेमवती नन्दन बहुगुणा) (क) जी हा । उक्त अधिकारी के खिलाफ कुछ शिकायते प्राप्त हुई हैं ।

(ख) उक्त अधिकारी के खिलाफ प्राप्त हुई कुछ शिकायतो की जाच विभागीय एजेंसियो के जरिये कराई गई है और कुछ दूसरी शिकायतो की जाच अभी हो रही है । सभी शिकायतो पर रिपोर्ट प्राप्त होने के पश्चात्, निर्धारित प्रक्रिया के अनुसार केन्द्रीय सतर्कता आयोग से परामर्श किया जाएगा और उन के परामर्श को ध्यान मे रखते हुए आगे कार्यवाही की जाएगी ।

(ग) जी, हां ।

Educated unemployed in Haryana

8777 SHRI BIRENDER SINGH RAO: Will the Minister of PLANNING be pleased to state

(a) whether Government have collected any information regarding illiterate unemployed, unemployed graduates and engineers in the State of Haryana,

(b) if so, the amount of money given by Central Government to Government of Haryana during the last financial year for their assistance, and

(c) whether the entire amount has since been spent by State Government, if so, the particulars thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA) (a) to (c) A statement is laid on the Table of the House

STATEMENT

According to the information available from the Directorate of Employment Exchanges in Haryana there were 1,23,276 job seekers registered with the Employment Exchanges as on 31st December 1972 as follows

(1) Below Matric (including illiterates)	68,560
(2) Matriculates	34,167
(3) Persons who passed Higher Secondary (including Intermediates Under graduates)	10,120
(4) Graduates including post graduates Total	10,429
(i) Arts	4,378
(ii) Science	1,995
(iii) Commerce	355
(iv) Engineering	401
(v) Medicine	146
(vi) Veterinary	6
(vii) Agriculture	168
(viii) Law	26
(ix) Education	2,922
(x) Others	32
	10,429
TOTAL	1,23,276

Besides, the normal programmes of development included in the State's Annual Plan for 1972-73, Central assistance was given for special programmes for providing employment opportunities in the State as follows:

Name of the scheme	Amount allocated in 1972-73 (Rs lakhs)
1 Expansion and improvement in the quality of primary education	30 01
2 Financial assistance to small entrepreneurs for setting up industries	70 00
3 Rural Engineering Surveys	12 60
4 Agro Service Centres	0 53
5 Expansion of Consumer Coop Stores	2 10
6. Investigation of Roads Projects	4 65
7 Setting up of design units for rual water supply	1 20
8 Investigation of Irrigation and Power Projects	15 00
9 Natural Resources Surveys	3 32
10 Subsidised employment of engineering Degree Diploma Holders	0 83
11 Special Employment programmes for the benefit of rural and urban job seekers, both educated and uneducated (Central Assistance)	49 00
12. Crash Scheme for Rural Employment	87 50
Total	276 74

Information regarding the actual expenditure incurred by the State Government on these programmes is not yet available.

Supply of Documents to Netaji Inquiry Commission

8778. SHRI SAMAR GUHA: Will the Minister of HOME AFFAIRS be pleased to state whether the documents in possession of the Government of Japan, U.S.A and U.K regarding Netaji Subhas Chandra Bose and the alleged plane crash at Tripeh Taihoko involving the great Indian leader were made available to the Netaji Inquiry Commission?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN): All the records available with the Government which the Commission considered were relevant to its inquiry have already been made available to them. Our Mission in Japan have informed that no documents that may have any relevance to the subject were available with the Japanese Government. Documents received from our Mission in Washington have already been made available to the Commission. Further efforts are still being made to obtain certain relevant documents, stated to be in the possession of the authorities in the United Kingdom.

Employment guarantee scheme for rural unskilled labour in Maharashtra

8779. SHRI P NARASIMHA REDDY: Will the Minister of PLANNING be pleased to state:

(a) whether the State Government of Maharashtra have introduced an employment guarantee scheme for the rural unskilled labour, and

(b) whether Central Government proposes to ask all other State Governments to embark upon such a scheme with financial assistance by the Centre, if necessary?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir.

(b) No such proposal is under consideration.

Position of Field Marshal in Warrant of Precedence in India

8780. SHRI BRIJ RAJ SINGH KOTAH: Will the Minister of HOME AFFAIRS be pleased to state the position of the Field Marshal in the Warrant of Precedence in India?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN): Officers of the rank of Field Marshal have not been mentioned in the Table of Precedence. However, Field Marshal S H F J Manekshaw has been given a personal rank in Article 15 of the Table of Precedence.

Production of Zinc Alloy Tubes and Pipes of Alloy Steel in Nuclear Fuel Complex in Hyderabad

8781. SHRI K LAKKAPPA:
SHRI P GANGADEB:

Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether the Nuclear Fuel Complex in Hyderabad will soon start production of Zinc Alloy Tubes and Pipes of Alloy steel; and

(b) if so, the salient features thereof?

THE PRIME MINISTER, MINISTER OF ATOMIC ENREGY, MINISTER OF ELECTRONICS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) and (b). It is not proposed to undertake production of zinc alloy tubes at

the Nuclear Fuel Complex (NFC), Hyderabad. As for the alloy steel pipes, a plant for the production of 2000 tonnes of stainless steel seamless tubes per year is being set up at NFC at a total cost of Rs. 41270 lakhs This plant is expected to start production towards the end of 1975.

Arrest of Pakistani Spies in Bombay

8782 SHRI SAT PAL KAPUR: Will the Minister of HOME AFFAIRS be pleased to state·

(a) whether two Pakistani Spies who were operating in Bombay for some time have been arrested by the Security Police,

(b) whether they were smuggled into India after Indo-Pak war and were spying on the movement of the Indian Navy in the Bombay Docks as well as on Soviet ships berthing there; and

(c) the facts of the case and the action taken or proposed to be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA) (a) to (c) Two Pak nationals had been arrested in Punjab in November 1971, while trying to cross over unauthorisedly into Pakistan They were prosecuted and convicted under the relevant laws to six months' rigorous imprisonment and a fine of Rs 1000/- and in default to suffer 3 months' rigorous imprisonment On the expiry of the above sentences they have been re-arrested by the Bombay Police on suspicion that they had indulged in espionage activities while they were residing at Bombay earlier. The cases registered against them under the Official Secrets Act, 1923 are under investigation.

Grant of bonus to employees of Ambar Saranjan Bhandar, Ahmedabad

8783. DR RANEN SEN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the employees of the Ambar Saranjan Bhandar, Ahmedabad, of the Khadi and Village Industries Commission have filed a writ petition in the High Court of Ahmedabad for the grant of bonus to them;

(b) whether the writ petition has been admitted;

(c) whether the bench of the High Court had tendered the suggestion to the Advocate General, Attorney General and/or Legal Advisers of the Commission to settle the matter amicably with the Khadi Commission Karamchari Union, and

(d) if so the step being taken by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI) (a) and (b) Khadi Commission Karamchari Union, Ahmedabad Branch through its Ahmedabad Unit Secretary, Shashikant Shukla, C/o Ambar Saranjan Bhandar, Ahmedabad filed a writ petition in the High Court of Gujrat, Ahmedabad for the grant of bonus, during 1972 which was admitted

(c) and (d) The petition was withdrawn by the Khadi Commission Karamchari Union with the permission of the Court.

Bonus to Employees of K.V.I.C.

8774. DR. RANEN SEN: Will the Minister of INDUSTRIAL DEVELOP-

MENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Khadi Village Industries Commission is not interested in sett'ing the question of granting bonus to its employees; and

(b) if so, the steps being taken by Government to settle the question?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) and (b) Khadi and Village Industries Commission has been established not as a profit making institution, it is hence covered by Section 32(v) of the Bonus Act and is, therefore, exempt from the provisions of that Act.

Demand for Grant of Bonus to Employees of Khadi and Village Industries Commission

8785. DR. RANEN SEN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Khadi Commission Karamchari Union had placed a demand for grant of bonus to the employees of the Commission in 1967 and also in 1971;

(b) whether the Khadi Commission had rejected the demand of the Union and the matter went to the Labour Commissioner, Government of Maharashtra;

(c) if so, whether any decision has been arrived at; and

(d) whether the advice given by the conciliation officer to the Commission to go for voluntary arbitration and supply of necessary data of bonus payable to the employees was not given heed to by the Commission?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) to (d). The information is being collected and will be laid on the Table of the House.

Programme indicating areas and Industries covered under the Khadi and Village Industries Commission

8786. DR. RANEN SEN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Khadi and Village Industries Commission has sent various proposal to Government for the Common production programme, indicating therein the areas and industries covered under the Khadi and Village Industries Commission to be reserved encouraged/patronised by Government;

(b) if so, the saielnt featudes of the programme; and

(c) Government's reaction thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) to (c). The Khadi and Village Industries Commission sent proposals to Government, indicating therein certain problems of village industries and suggested reservation in the fields of industries continuation of fiscal concessions, fixation of floor prices, assistance in technical development, price and purchase preference from Government, adequate supplies of raw materials to village and rural industries etc. Some of the concessions sought are already existing, while the remaining are under the consideration of the Government.

Expansion of Machinery to check Financial aspects for proper utilisation of funds by Khadi and Village Industries Commission

8787. SHRI INDRAJIT GUPTA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the total disbursements made by the Khadi and Village Industries Commission and the all India Khadi

and Village Industries Board upto 1971-72;

(b) the total expenditure incurred by the Commission on the audit of this disbursement;

(c) whether the Khadi Commission is expanding the machinery of check in the financial aspects of the grantee/ loanee Institutions for the proper utilisation of funds; and

(d) if so, the specific proposals of expansion of checking machinery and when they are likely to be implemented?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) to (d). The information is being collected and will be laid on the Table of the House

Sales Tax on Precious Stones and Jewellery sold to Tourists from Foreign Countries

8788 SHRI M. S. SANJEEVI RAO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Delhi Jewellers Association have urged the Central Government that levy of Sales Tax on precious stones and Jewellery sold to foreign tourists be withdrawn; and

(b) if so, the reaction of Government in this matter?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H MOHSIN): (a) and (b) There is no representation from the Delhi Jewellers Association that the levy of sales tax on precious stones and Jewellery sold to foreign tourists be withdrawn. However, the New Delhi Traders Association sent representation on 12th February, 1973 to an Executive Councillor, Delhi, requesting that local sales of precious stones and jewellery to foreigners against foreign currency should be exempted from sales tax. This concession is not available to other States. Sales in the course of export outside India are, of course, exempted from sales tax. The concession sought is likely to lead to loss of revenue, besides creating administrative difficulties. Foreigners visiting India may well afford to bear the small incidence of sales tax. The Association was informed that the exemption sought by them cannot be granted.

Price of Salt in West Bengal

8789. SHRI R. P. DAS: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the people of West Bengal have to pay more for salt produced in the country than the people of Japan, a consumer country of Indian salt;

(b) whether the high cost of salt which is also a basic chemical for the manufacture of Soda Ash, caustic soda and chlorine, makes it impossible for the industry located in West Bengal to put out their products at competitive price, and

(c) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE) (a) Does not arise, as no salt has been exported to Japan after 1970.

(b) No such complaint has been received from any industry in West Bengal.

(c) Does not arise.

Development of village Industries in Arunachal Pradesh

8790. PROF. NARAIN CHAND PARASHAR: Will the Minister of INDUSTRIAL DEVELOPMENT AND

SCIENCE AND TECHNOLOGY be pleased to state

(a) whether any survey has been made to find out the prospects for developing village industries in Arunachal Pradesh,

(b) if so, the outcome of the survey, and

(c) the names of the Industries proposed to be developed in Arunachal Pradesh?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI) (a) to (c) The information is being collected and will be laid on the Table of the House

खादी तथा ग्रामोद्योग आयोग द्वारा आरम्भ किया गया कार्यक्रम

8791. **श्री शिव कुमार शास्त्री** : क्या **औद्योगिक विकास** मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या ग्रामीण योजना के अन्तर्गत खादी तथा ग्रामोद्योग आयोग द्वारा आरम्भ किए गए विभिन्न कार्यक्रमों से बेरोजगारी दूर करने में कोई सहायता मिली है

(ख) क्या इस समय कच्चे माल के मूल्यों में वृद्धि के कारण उस कार्य में बहुत बड़ी बाधा उपस्थित हुई है और

(ग) यदि हां तो उस कार्य को गति देने के लिए सरकार क्या उपाय कर रही है ?

औद्योगिक विकास मन्त्रालय में उपमंत्री (श्री जियाउर रहमान अंसारी): (क) खादी व ग्रामोद्योग आयोग के कार्यक्रम अनिवार्यतः रोजगार उन्मुख हैं और इसीलिए इन कार्यक्रमों से कुछ सीमा तक बेरोजगारी दूर करने में सहायता मिली है ।

(ख) कच्चे माल की कमी इस क्षेत्र की वृद्धि पर प्रतिकूल प्रभाव डालने वाली बाधाओं में से एक है ।

(ग) इस स्थिति में सुधार करने के लिए खादी व ग्रामोद्योग आयोग ने विभिन्न योजनाएं बनाई है ।

संकटग्रस्त कपड़ा मिलों का सरकारीकरण

8792 **श्री फूलचन्द वर्मा** : क्या **औद्योगिक विकास** मन्त्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार का कुछ अन्य संकटग्रस्त कपड़ा मिलों का सरकारीकरण करने का विचार है, और

(ख) यदि हां तो उनके नाम क्या हैं

औद्योगिक विकास तथा विज्ञान और प्रौद्योगिक मंत्री (श्री सी० सुब्रह्मण्यम) (क) और (ख) वस्त्र मिलों के कार्यों पर निगरानी रखी जाती है और जब कभी आवश्यक होगा उद्योग (विकास तथा विनियमन) अधिनियम 1951 और संकटग्रस्त वस्त्र उपक्रम (प्रबन्ध हाथ में लेना) अधिनियम 1972 के उपबन्धों के अनुसार आवश्यक कार्यवाही की जायेगी ।

Import of Truck Tyres

8794. SHRI P. NARASIMHA REDDY: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY iffiP|

(a) whether any arrangements have been made for emergent import of Truck Tyres for which there is shortage in the country.

(b) if so, the salient features thereof; and

(c) what arrangements are proposed to ensure proper distribution of the imported Tyres to Bonafide Truck operators?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). The State Trading Corporation of India Limited have been requested to import 5,000 truck tyres immediately from Sri Lanka with a view to meet the urgent requirements of certain State Transport undertakings. Government are also considering the import of a further 10,000 truck tyres through the State Trading Corporation of India Limited to meet the requirements of State Road Transport Undertakings. These tyres will be distributed to the State Transport Undertakings on a prorata basis after assessing their actual requirements.

Transfer of Khadi Commission's Bhavan from Bhopal

8795. SHRI BHOGENDRA JHA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether at the Khadi and village Industries Board's meeting held in Delhi on the 19th January, 1973 an understanding was given by the representatives of the Commission that in respect of Khadi Commission's Bhavan at Bhopal the transfer will not be made of the Bhavan without the consent of the staff members and that in the event of such a transfer the interests of the employees would be adequately safeguarded; and

(b) if so, the present position of the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) and (b) The information is being collected and will be laid on the Table of the House.

Gratuity Scheme for Khadi and Village Industries Commission

8796. SHRI M. KATHAMUTHU: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the present gratuity scheme of the Khadi and Village Industries Commission is only a stop gap arrangement, pending approval of the Commission scheme by Government;

(b) whether the present scheme is conferring less benefits than the recent legislation of gratuity passed by the Parliament;

(c) whether the Commission has been advised by Government to adopt the recent gratuity, legislation pending approval of the Commission's proposal for gratuity; and

(d) if so. the steps taken by the Commission?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) to (d). The information is being collected and will be laid on the Table of the House.

Scheme for payment of Gratuity to Employees of Khadi and Village Industries Commission

8797. SHRI S. A. MURUGANTHAN: Will the Minister of INDUSTRIAL

DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Khadi and Village Industries Commission has negotiated a scheme for the payment of gratuity to its employees with the Khadi Commission Karmachari Union, if so, the outcome thereof,

(b) whether the Scheme with the due approval of the Khadi and Village Industries Commission has been sent to Government,

(c) whether Government have considered the Scheme, and

(d) if so, the decision taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI). (a) and (b) A scheme for the payment of gratuity to its employees was submitted by the Khadi and Village Industries Commission Bombay to the Government of India

(c) and (d) Government of India has considered the Gratuity Scheme for the employees of the Commission and communicated its decision to the Khadi and Village Industries Commission, Bombay

Profit made by Khadi Gramodyog Bhavan, New Delhi

8798 SHRI S A MURUGANANTHAM Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) whether the Khadi Gramodyog Bhavan New Delhi has been making profit since its inception and

(b) if so, accumulated profit upto 1971-72 and the amount of capital invested as on 1st April, 1972

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI) (a) to (b) The information is being collected and will be laid on the Table of the House.

Proposal to set up a Rural Industries Commission

8799. SHRI MUKHTIAR SINGH MALIK:
SHRI D. P. JADEJA:

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to refer to the reply given to Unstarred Question No 305 on the 21st February, 1973 regarding proposal to set up a Rural Industries Commission and state:

(a) whether any decision on the proposal to set up a Rural Industries Commission to solve the problem of unemployment in rural areas has since been taken, and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI) (a) No, Sir

(b) Does not arise.

Labour Laws applicable to K.V.I.C

8800 SHRIMATI BHARGAVI THANKAPPA Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether in or about 1961 in the context of grant of recognition to the Trade Unions in the Khadi and Village Industries Commission, Ministry of Law opined to the Commission through the Ministry of Industry that the Commission's employees get covered under the Industrial Dispute Act and other such labour laws and that the Khadi and Village Industries Commission is an Industry attracting the relevant labour laws applicable to the Industry and

(b) if so, further details in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) and (b) The information is being collected and will be laid on the Table of the House.

Role of Cottage and Village Industries sector vis-a-vis Small and Large Industries

8801. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state.

(a) whether Government have considered the role to be played by the cottage and village Industries sector vis-a-vis the small industries sector and large industries Sector, and

(b) if so, the outcome thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI) (a) and (b). The Industrial Policy Resolution of 1956 has laid down the basic principles that govern the Government's approach towards industrial development in general, including the role to be played by the cottage village, and small scale industries sector vis-a-vis other sectors These principles continue to govern Government's policies in this regard.

Prospects for developing Village Industries in Kerala

6802 SHRIMATI BHARGAVI THANKAPPAN Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) whether any survey was made to find out prospects for developing village industries in Kerala,

(b) if so, the outcome thereof and

(c) what are the industries proposed to be developed in the rural areas of Kerala?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) to (c) The information is being collected and will be laid on the Table of the House.

Central Assistance to States Vis-a-Vis Gujarat

8803. SHRI PRABHUDAS PATEL: Will the Minister of PLANNING be pleased to state:

(a) whether Centre's per capita aid under the Fourth Five Year Plan has been the lowest in the case of Gujarat State vis-a-vis other States in the country,

(b) whether per capita aid given to Punjab has been the highest so far;

(c) if so, the reasons for giving the lowest per capita aid to Gujarat, and

(d) what steps are being taken to give adequate aid to Gujarat State during the Fifth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA) (a) No, Sir The Fourth Plan per capita Central assistance allocated to Gujarat (Rs 57) works out to be higher than that allocated to Andhra Pradesh (Rs 54) Maharashtra (Rs 47), Tamil Nadu (Rs 50), Uttar Pradesh (Rs. 56) and West Bengal (Rs 48) and is equal to that of Bihar and Mysore

(b) No, Sir.

(c) Does not arise

(d) The objective criteria for allocating Central assistance among the States in the Fifth Five Year Plan are still under consideration in Planning Commission.

Deferment of Formulation of Incomes and Prices Policy

8804 SHRI D K PANDA. Will the Minister of PLANNING be pleased to state

(a) whether Government have decided to formulate a clear-cut national wages policy but has decided to defer the chalking out of the incomes and prices policy, and

(b) if so, the reasons for deferment of the formulation of the incomes and prices policy?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). The Government have taken no decision to defer formulation of the prices and incomes policy. As indicated in the document "Approach to the Fifth Plan", the Government view prices, wages and incomes as close interlinked facets of a policy oriented to growth with stability and social justice. A reasonable balance between prices, wages and incomes has been considered an essential element of such a policy. Some important features of an appropriate prices-wages-incomes policy have been indicated in the Approach Document. Details covering all the three aspects are being worked out for inclusion in the Draft Plan which is expected to be ready by September, 1973.

Activities of C I A.

8805. SHRI JYOTIRMOY BOSU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Indian Institute of Technology has in collaboration with the University of Michigan, U.S.A. started a survey of "attitude of U.P villagers towards family planning" with liberal financial assistance from America;

(b) if so, the facts thereof;

(c) whether it has been alleged that this collaborative research project is being utilised by the C.I.A. to collect materials for political subversion and

(d) if so, Government's reaction thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) to (d) Facts are being ascertained. Attention is also invited to the answer given to unstarred Question No. 8099 dated 25th April, 1973.

Subsidy to Industrialists for setting up Industries in Backward Areas

8806. SHRI PRABODH CHANDRA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the machines despatched, received, paid for and installed after 1st October, 1970 are being refused the 10 per cent outright subsidy for selected backward areas only because orders for the same were placed before 1st October, 1970, and

(b) if so, whether Government propose to review the policy in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The 10 per cent Central outright grant or subsidy scheme 1971, is applicable only to the new industrial units or the existing industrial units effecting substantial expansion, in specified backward areas. As defined in para 4 (b) of the scheme a 'new industrial unit' means an industrial unit for the setting up of which effective steps were taken after 1st October, 1970 and in terms of the explanations given for the effective steps' vide para 4 (e) (iii) thereof, the date of firm order has to be taken into consideration and not the date of receipt of macinery

Special Assistance to Bihar for Development of Backward Districts

8807. SHRI R P. YADAV Will the Minister of PLANNING be pleased to state:

(a) whether the backward State of Bihar is going to get some special assistance form the Central Government for the development of its identified backward districts; and

(b) whether Government propose to allocate funds for the development of these districts to the District Planning Board to take effective steps?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). The broad policy for the Fifth Plan with regard to the development of identified backward areas has been spelt out in Chapter X of the "Approach to the Fifth Plan" already placed on the Table of the House. The operational details with regard to the financing of programmes for their accelerated development and the institutional arrangements for their implementation will be worked out in consultation with the State Government on the receipt of the State Plan proposals.

Foreign Collaboration Cases during 1972

8808. SHRI SHASHI BHUSHAN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the number of foreign collaboration cases approved by Government during 1972, the nature of foreign collaboration and the names of foreign companies or parties involved in this;

(b) the items proposed to be manufactured with foreign collaboration;

(c) the names of Indian parties to whom the foreign collaboration has been allowed and the location of their manufacturing units; and

(d) the authorities which ensure that such foreign collaboration is absolutely necessary, and the terms and conditions of the foreign collaboration in each case?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). The number of foreign collaboration cases approved by Government during 1972 is as below:—

Year	Total number of cases approved	Cases involving Foreign capital participation
1972	257	36

Quarterly statements of these cases which indicate the name and address of the Indian party, the name and address of the foreign collaborator, item of manufacture and whether the collaboration also involved foreign capital participation are published in the Journal of Industry and Trade. Copies of these quarterly statements covering the year 1972 are also available in the Parliament Library. The exact location of these industrial units will be known when the concerned parties finally go ahead with the setting up of these units.

(d) Copies of foreign collaboration applications are invariably forwarded to D.G.T.D., C.S.I.R., Department of Science and Technology, and other Technical authorities whose views on the question of need for importing the technology are taken into consideration while deciding the applications. These technical authorities are also represented on the Foreign Investment Board which is the focal authority to consider applications for foreign collaboration/investment.

The terms and conditions approved vary from case to case depending on various factors including the nature of technology proposed to be imported Generally speaking, royalty upto a maximum of 5 per cent subject to Indian taxes, has been allowed for a period of 5 years from the date of commencement of production In suitable cases a lump sum technical fee has also been allowed

Where foreign capital participation was involved, by and large a minority foreign equity holding, of 40 per cent or below, has been allowed

Reported Observation of Chief Minister of Goa regarding Hindu Raj ruling Goa

8309 SHRI H N MUKHERJEE Will the Minister of HOME AFFAIRS be pleased to state

(a) whether he is aware of consternation among many citizens of the Union Territory of Goa on account of the reported observation of the Chief Minister (*Navhind Times* dated the 28th March, 1973) that everybody born in this country was a Hindu and there was 'nothing wrong in a Hindu Raj ruling Goa', and

(b) if so his reaction in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN) (a) and (b) The Government are not aware of any consternation among any citizens of the Union Territory of Goa, Daman and Diu on account of the reported observation of the Chief Minister Government are, however, totally unable to accept the view contained in the reported observation by the Chief Minister.

Non-Governmental agencies working for upgrading of economic conditions in tribal areas

8810 SHRI S N MISHRA
SHRI K MALLANNA

Will the Minister of HOME AFFAIRS be pleased to state

(a) the names of the non-Governmental agencies in the country working for the upgrading of economic conditions in tribal areas, and

(b) the grants-in-aid provided to these agencies separately during the current financial year?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN) (a) and (b) The information is being collected and will be laid on the Table of the Lok Sabha when it becomes available

Post Offices P C Os and Telegraph Offices in Orissa

8811 SHRI BAKSI NAYAK Will the Minister of COMMUNICATIONS be pleased to state

(a) number of post offices category wise P C Os and Telegraph Offices in different Districts of Orissa,

(b) number of these offices proposed to be opened during 1973 74 and

(c) whether Government propose to make a special survey in Phulbani District a backward District, and open adequate number of post and telegraph offices to bring this district at par with other districts in Orissa?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA) (a) The information is furnished below:—

Name of Distt.	Post Offices			P.C.O.s	Telegraph Offices
	HOs.	SOs.	BOs		
BALASORE	2	89	672	47	69
BALANGIR	1	31	268	21	22
GANJAM	3	81	594	56	71
CUTTACK	4	132	709	97	120
DHENKANAL	1	33	304	31	36
KEONJHAR	1	33	255	28	31
KALAHANDI	1	21	216	7	19
KORAPUT	2	64	290	15	41
MAYURBHANJ	1	37	395	25	33
PURI	4	74	531	78	66
PHULBANI	1	17	239	10	13
SUNDERGARH	2	42	193	34	36
SAMBALPUR	2	72	400	44	47

(b) The information is furnished below —

Name of Distt.	Post Offices	P.C.O.s	Telegraph Offices
BALASORE	5	3	4
BALANGIR	10	2	Nil
GANJAM	10	6	4
CUTTACK	5	16	3
DHENKANAL	25	1	Nil
KEONJHAR	25	1	1
KALAHANDI	25	Nil	Nil
KORAPUT	20	9	4
MAYURBHANJ	15	1	Nil
PURI	5	4	3
PHULBANI	25	2	1
SUNDERNAGAR	20	Nil	1
SAMBALPUR	10	4	4

(c) Postal Services—

No special survey in this respect is considered necessary. The Government propose to expand postal facilities to the following extent:

(i) It is proposed to open 25 new post offices in the District during 1973-74.

(ii) It is proposed to raise the status of 4 post offices in the District during 1973-74.

(iii) A separate Postal Division has been created for Phulbani District to develop postal facilities by opening as many new offices as possible.

Telegraph Services—

A special survey is being made to open adequate number of telegraph offices in Phulbani District.

Basis of promotion of non-gazetted postal officials to gazetted cadres

8812. SHRI BAKSI NAYAK: Will the Minister of COMMUNICATIONS be pleased to state the basis on which the lower administrative non-gazetted postal officials are promoted to the gazetted cadres?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA): Non-gazetted postal officials who are either Inspectors of Post Offices or Inspectors of Railway Mail Service or have been Inspectors of Post Offices and Inspectors Railway Mail Service and are working in higher non-gazetted grades and are permanent in one of these grades with five years continuous service and are below 50 years of age on the 1st July of the year of selection are eligible to be considered for selection to the Postal Superintendents' Service Class II.

Non-gazetted postal officials who are working as Assistant Superintendents of Post Offices or Higher Selection Grade Postmasters with five years service in the grade or 8 years service including service in the next below grades and are permanent in any of these cadres are eligible to be considered for selection to Postmasters Service Class II.

The selection in both the cases is made by a Departmental promotion Committee on the basis of service records.

Training of P. & T. Employees

8813. SHRI BAKSI NAYAK: Will the Minister of COMMUNICATIONS be pleased to state:

(a) what are the steps Government for taking to train the Post and Telegraph employees for discharging their duties satisfactorily; and

(b) what further steps Government propose to take in this regard during the Fifth Five Year Plan?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA): (a) The Post and Telegraph employees of various categories are given training in the Training Institutions set up for the purpose. On the Telecommunications side, there are 7 Regional Training Centres and 24 Circle/District Training Centres catering to the requirements of different cadres. Besides the initial training, refresher courses are also conducted in different subjects for the various categories of staff. On the Postal side, there are 4 Residential Training Centres which impart training to the various operative and supervisory cadres. Refresher courses are being introduced at these Centres for the lower selection grade staff. In addition, non-residential local training classes are set up, as and when required, if the Residential Training Centres are not in a position to meet in full the training needs of the operative staff. Officers belonging to both the Postal and the Telecom. Wings are also deputed periodically to Training Institutions such as the Indian Institute of Public Administration, New Delhi and the Adminis-

trative Staff College. Hyderabad for undergoing training in Management and allied subjects.

(b) It is proposed to establish additional Training Centres at the Regional, Circle and District levels and enlarge the Training capacity.

Simplification of Rules and Procedures in P. & T. Department

8814. SHRI BAKSHI NAYAK: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government are considering simplification of rules and procedures in the Post and Telegraph Department,

(b) if so, the salient features of the proposal under consideration; and

(c) the nature of action, so far, taken in this direction and what further actions are proposed to be taken in the matter?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA) (a) Yes, Sir

(b) On the Postal side a Cell has been formed to study the procedures The salient features of the study are:—

(i) Procedures for handling of mails from despatch to delivery;

(ii) Procedures for the booking and payment of MOs;

(iii) Procedures for the booking and delivery of registered and parcel mail; and

(iv) Procedures in the Sub-Account and Treasury Departments of the Post Offices.

(c) Based on the study in the last seven months some procedures have been simplified. They are:—

I—Orders issued:

(i) Printing of advance work papers in RMS.

(ii) Discontinuance of unnecessary air bags which will not connect the day's delivery after receipt at the office of delivery.

(iii) All bulk postings should be accepted at the counter.

(iv) Multi-purposes counters to eliminate queues in post offices.

(v) Printing of particulars of due mails in registered abstracts in POs.

(vi) Evolving a proper pattern of sorting.

(vii) Prescribing a standard for closing of bags.

(viii) Dispensing with addressee's receipt in respect of registered letters and registered parcels and instead taking addressee's signature in the delivery slip itself in offices where the delivery slip system is in vogue.

(ix) Abolition of monthly abstract of branch office transactions.

II—Orders under issue:

(i) Discontinuing the submission of monthly copy of sub office accounts.

(ii) Discontinuing the submission of Excess Cash Balance memos.

(iii) Due despatches to Return Letter Offices

(iv) Change in the procedure of delivery of High Value Insured Articles.

(v) Discontinuance of sealing of 'I.' bags.

III—Under Examination:

(i) Recorded delivery service.

(ii) Revised procedure for the use of registered acknowledgement.

(iii) Reorganisation of the accounts work in Head Post Offices.

(iv) Reorganisation of Accounts work in Head Record Offices.

(v) Dispensing with the checking of work papers in the R.M.S. Record Offices.

(vi) Cutting down documentation in registration, parcel and MO branches.

(vii) Simplification of Sub Office and Branch Office summaries.

(viii) Reduction in the frequency of submission of accounts by Sub-Offices/Branch Offices.

Schemes finalised to give a new turn to Kashmir's Economy

8815. SHRI M. M. JOSEPH: Will the Minister of PLANNING be pleased to state:

(a) whether any schemes were finalised on 18th March, 1973 for giving a new turn to Kashmir's economy; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). The Minister for Works and Development, Jammu and Kashmir and the Union Minister for Planning had an informal meeting on 18th of March, 1973 and discussed, besides other matters, some proposals regarding improvement of living conditions, training of carpet weavers in Srinagar and also problems of agricultural development in the Jammu region.

Development of Tribals outside the Tribal Development Blocks and Pilot Projects

8816. SHRI K. PRADHANI: Will the Minister of PLANNING be pleased to state:

(a) whether there is any proposal with the Government to take up any scheme for the development of tribals outside the tribal development blocks and pilot projects;

(b) if so, what are those plans; and

(c) when those plans are likely to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) to (c). As indicated in the "Approach to the Fifth Plan", which was laid on the Table of the House on 20.2.1973, it is proposed to demarcate compact areas with sizeable concentration of tribal population for formulating integrated area plans and to direct for this purpose larger flow of funds from various sectors of development. Apart from such compact areas, in many districts there are small isolated pockets of tribals. Special schemes will be formulated within the district plans for developing their lot. These programmes are being worked out by the State Governments for implementation in the Fifth Plan period.

Development of Tribal Areas during Fifth Plan

8817 SHRI GIRIDHAR GOMANGO: Will the Minister of PLANNING be pleased to state:

(a) whether in the approach to the Fifth Five Year Plan reliance has been placed on general sector for development of tribal areas;

(b) whether under the Minimum Needs Programme the actual requirement of the tribal areas is proposed to be taken care of; and

(c) the proposed outlay for tribal areas under the Minimum Needs Programme in the Fifth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir. In the Fifth Plan, the strategy of development of tribal areas places emphasis on the role of the general sector in providing major development programmes.

(b) Yes, Sir. The schemes and programmes to be taken up under the National Minimum Needs Programme will benefit both tribal and other areas.

(c) The requirements of State Governments under various sectors under the Minimum Needs Programme in the Fifth Plan are presently under discussion with them.

Issue of Industrial Licence for New Tyre Factory to be set up in a State other than West Bengal

8818. SHRI B. K. DASCHOWDHURY: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether a new tyre company has not been given industrial licence to establish factory in West Bengal, but the same company has been allowed to set up a factory in another State; and

(b) if so, the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) and (b). M/s. Inchek Tyres of India Ltd., Calcutta, were granted an Industrial Licence dated the 16th October, 1969 for effecting substantial expansion in their Calcutta factory by 3 lakh nos. each of automobile tyres and tubes per annum. They could not implement this expansion licence in Calcutta itself because of persistent labour troubles. They, therefore, requested that they may be permitted to implement this expansion licence by setting up a new factory at Rai Bareilly (U.P.). Government have approved of this in August 1972. A Letter of Intent dated the 8th September, 1972 has also been granted to the West Bengal Industrial Development Corporation for setting up a new unit in the State of West Bengal with a capacity of 4 lakhs nos. each of automobile tyres and tubes per annum in lieu of the capacity allowed to be shifted by M/s. Incheks.

Short Term Employment Schemes for West Bengal

8819. SHRI B. K. DASCHOWDHURY: Will the Minister of PLANNING be pleased to state:

(a) whether Government of West Bengal have sent to the Centre several schemes of short-term employment for the current financial year;

(b) if so, the outlines of the schemes and the amount required for the current financial year and the next financial year; and

(c) the amount so far sanctioned and when the balance amount will be sanctioned to the Government of West Bengal?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir.

(b) These schemes have been formulated in pursuance of the decision of the Government of India to create half a million jobs for the educated unemployed during the current year The proposals relate to self-employment programmes, training schemes, studies and surveys, subsidised employment schemes, etc. The financial commitments so far as these schemes are concerned are confined to the current year.

(c) The State Government has been advised that Rs. 10.82 crores would be made available to them for the continuing programmes for educated unemployed Special Employment Schemes and the Crash Scheme for Rural Employment which were introduced in 1971-72. In addition, the State Government has been advised that they could work within a tentative ceiling of Rs. 15 crores under the Half a Million Jobs Programmes for the current year.

News Report Regarding "Electronics Swindle"

8820. SHRI B. K. DASCHOWDHURY: Will the Minister of ELECTRONICS be pleased to state:

(a) whether Government have noticed a report in the *Economic Times* of 25th March, 1973 on Electronics Swindle; and

(b) if so, the reasons for not referring the case to the C.B.I.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C PANT): (a) Yes, Sir.

(b) Since the report does not contain any specific complaint against any particular party, the question of referring the case to the C.B.I. does not arise.

दोषपूर्ण आयोजन के कारण खाद्यान्नों की कमी

8821. श्री विभूति मिश्र : क्या योजना मंत्री यह बताने की कृपा करेंगे कि

(क) क्या योजना आयोग के गठन के बाद से अब तक जितनी योजनायें बनाई गईं उनमें कृषि और सिंचाई योजनाओं पर समुचित ध्यान नहीं दिया गया

(ख) यदि हां, तो क्या योजनाओं में खामियों के कारण आज देश में खाद्यान्नों की भयंकर कमी है, और

(ग) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है ?

योजना मंत्रालय में राज्य मंत्री (श्री मोहन धारिया) : (क) से (ग). यह कहना ठीक नहीं है कि विभिन्न पंचवर्षीय योजनाओं में कृषि और सिंचाई पर समुचित ध्यान नहीं दिया गया। वस्तुतः सामान्यतया कुल योजना परिव्यय में से लगभग 20 प्रतिशत इन क्षेत्रों को आवंटित किया गया था।

1949–50 (योजना पूर्व वर्ष) में सभी अनाजों का उत्पादन 468 लाख मीट्रिक टन था, जिसमें से चावल का 235 लाख मीट्रिक टन, गेहूं का 64 लाख मीट्रिक टन और अन्य अनाजों का 169 लाख मीट्रिक टन था। इन उत्पादन स्तरों में वृद्धि हो कर 1971–72 के दौरान सभी अनाजों का कुल उत्पादन 936 लाख मीट्रिक टन हुआ। इसमें से चावल, गेहूं और अन्य अनाजों का उत्पादन क्रमशः 427 लाख मीट्रिक टन, गेहूं का 265 लाख मीट्रिक टन और अन्य अनाजों का 244 लाख मीट्रिक टन था। इसका मतलब यह हुआ कि पिछले 20 वर्षों के दौरान आयोजित प्रयत्नों के परिणामस्वरूप अनाजों का उत्पादन लगभग दुगुना हो गया है। इस समग्र अनाजों की जो कमी है उसे कृषि और सिंचाई को दी गई अपर्याप्त प्राथमिकता को नहीं समझा जाना चाहिए।

पांचवीं पंचवर्षीय योजना के अन्त में दालों सहित खाद्यान्नों का उत्पादन 1400 लाख मीट्रिक टन बढ़ाने के लिए सरकार ने कृषि उत्पादन तथा सिंचाई की योजनाएं तैयार की हैं। अन्य बातों के अलावा इसमें योजना स्कीमों के कारण पहले ही निर्मित सिंचाई क्षमता का कारगर ढंग से उपयोग करना भी शामिल है।

उत्तर बिहार के सारन के कुछ भागों और चम्पारन एवं नेपाल के भोजपुरी क्षेत्र की दृष्टि से पटना प्रसारण केन्द्र का रेन्ज

8822. श्री विभूति मिश्र : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पटना प्रसारण क्षेत्र के रेडियो प्रसारण चम्पारन भागों और उत्तर बिहार के सारन के कुछ भागों और नेपाल के भोजपुरी क्षेत्र में भी नहीं सुने जा सकते ; और

(ख) यदि हां, तो इस बारे में सरकार क्या प्रतिक्रिया है ?

सूचना और प्रसारण मंत्रालय में उपमंत्री (श्री धर्मवीर सिंह) : (क) पटना रेडियो स्टेशन सारन तथा उत्तरी बिहार के चम्पारन जिले के पूर्वी भागों को प्राथमिक प्रसारण सेवा प्रदान करता है । नेपाल के लिए सेवाएं वैदेशिक सेवाओं का एक भाग है तथा वे दिल्ली और कलकत्ता के ट्रांसमिटरों से प्रसारित की जाती हैं ।

(ख) बिहार के जो क्षेत्र प्रसारण सेवा से बाहर हैं उनको कवर करने के प्रस्तावों को पांचवीं योजना में शामिल करने पर विचार किया जा रहा है ।

Telephone Service in Champaran District

8823. SHRI BIBHUTI MISHRA Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether Government have received reports that the telephone connections installed at Champaran (East and West) in Bihar are not giving satisfactory service, and trunk lines remain paralysed;

(b) whether he had given an assurance to set the telephones in order by June, 1972; and

(c) whether in spite of his assurance the telephones are not yet set right; and if so, the reasons therefor?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA): (a) Some complaints regarding unsatisfactory working of telephone connections had been received and the same were attended to promptly. No complaints regarding trunk lines remaining paralysed have been received.

(b) No such asurance was given.

(c) The question does not arise.

16000 Illegal Trunk Calls made by a Trader from a Telephone Pole in Delhi

8824 SHRI PURUSHOTTAM KAKODKAR
SHRI P. M MEHTA:

Will the Minister of COMMUNICATIONS be pleased to state

(a) whether Government's attention has been drawn to a Press Report in the *Times of India* of 6th April, 1973 regarding 16000 trunk calls illegally made by a trader from a telephone pole in Delhi, and

(b) whether any investigations have been made and if so, the findings thereof and the action taken in the matter?

THE MINISTER OF COMMUNICATIONS (SHRI H N BAHUGUNA): (a) Yes, Sir

(b) The matter has been reported to the Police and their investigation is under way.

Vehicles Stolen in Delhi

8825. SHRI PRUSHOTTAM KAKODKAR:
SHRI P. M. MEHTA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of vehicles stolen in Delhi during March, 1973;

(b) how many of them have been recovered; and

(c) the number of persons arrested in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) 106.

(b) 71.

(c) 14.

Killing of School Boys by Dafla Tribesmen in North Lakhimpur Town

8826. SHRI PURUSHOTTAM KAKODKAR:
SHRI P. M. MEHTA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Dafla Tribesmen in Assam have started creating terror in the State and killed six boys of a school picnic party in North Lakhimpur town on the 4th April, 1973;

(b) if so, the number of persons arrested in this regard; and

(c) whether these tribals are getting arms from China?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) No terror as such has been created by the Dafla Tribesmen. In an incident on 4th April, 1973, near Kimin in Subansiri District of Arunachal Pradesh some boys who had gone for picnic from Dhakuakhana School in North Lakhimpur District of Assam were attacked by two young tribal boys of Kimin, one of whom was armed with a Dao (a kind of matchete). As a result seven boys died.

(b) Two persons have been arrested.

(c) No instance of supply of arms to Daflas from China has come to notice so far.

Meeting of Licensing Committee

8827. SHRI PURUSHOTTAM KAKODKAR:
SHRI P. M. MEHTA:

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) whether a meeting of the full Licensing Committee consisting of officials of Central and State Governments was held at New Delhi on the 24th March, 1973, and

(b) if so, the subject discussed at the meeting?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM) (a) Yes, Sir.

(b) A statement of subjects discussed at the meeting is attached.

Statement

1. Licensing Policy, February, 1973.

2 The Role of the State Industrial Development Corporations, their programmes and problems.

3. Industrialisation of Backward Areas.

4 Guidelines for the formulation of the Fifth Five Year Plan by the States and Union Territories—Large and Medium Industries and Minerals.

5. Cement Industry in the State Sector.

6. Requests received from the State Governments for reconsideration of

the applications which were considered by the sub-committee of the Licensing Committee during the period 14-8-1972 to 8-12-1972, etc., laid on the Table of the House. [*Placed in Library. See* No. LT-4936/73].

Different Prices of Tyres and Tubes

8828. SHRI B. R. SHUKLA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to refer to the reply given to Unstarred Question No. 4004 on the 21st March, 1973 regarding the quality of tyres and tubes and state the reasons why the prices of tyres and tubes made by different Companies are the same when the quality of no two makes is identical and what Government propose to do in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): Though the quality of tyres produced by different companies may not be identical, they compare well with each other. Government have licensed substantial additional capacity which when created will introduce more competition and more scope for consumer preference.

Selling of Truck and Bus Tyres at Premium by Tyre Dealers as a result of artificial shortage created by Tyre Manufacturers

8829. SHRI B. R. SHUKLA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government are aware that the tyre manufacturers have a tendency to flood certain areas with such sizes or sizes of truck and bus tyres which are not in demand and starve other areas where these sizes are much popular and that as a consequence dealers sell tyres at heavy premium;

(b) if so, the action taken or proposed to be taken to check this practice; and

(c) whether Government have received representations urging them to eliminate the middle men *i.e.*, the dealers from this industry so that the consumer could be saved from exploitation, if so, the action being taken in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). Government have received a complaint about the tyre manufacturers flooding certain areas with truck and bus tyres which are not in demand and starve other areas where these tyres are in demand resulting in the dealers selling the tyres in such areas at high premium. Under the existing arrangements the tyre companies meet the requirements of Defence, State Transport Undertakings, Original Equipment Manufactures, Cooperative Societies and Fleet owners having 10 vehicles or more directly. The balance of about 50 per cent of the production of tyre companies is released by the manufacturers for sale through their dealers in the various consuming areas. The dealers are required to sell these tyres in accordance with the orders issued by the State Governments, wherever such orders are issued by the local Governments under the powers delegated to them under the Essential Commodities Act.

Habeas Corpus Petition from Visakhapatnam Jail to Calcutta High Court Returned by P & T Department

8830. SHRI S. M. BANERJEE: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether a habeas corpus petition sent from Vishakhapatnam Jail to the Calcutta High Court by one of the detenus Shri Kanu Sanyal, the Naxalite leader, was returned twice by the Posts

and Telegraphs Department with the remarks "addressee not traceable"

(b) whether this was brought to the notice of Government by Shri R. K. Garg, a Supreme Court lawyer, and

(c) if so, whether any investigation has been made and if so, with what results?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA) (a) Yes 2 registered letters sent by Superintendent Central Jail Vishakhapatnam to the Registrar Calcutta High Court were returned with remarks "not properly addressed hence not known".

(b) No

(c) There are two Registrars in Calcutta High Court, One on the Original Side and the other on the Appellate Side The letters meant for the Registrar, Original Side are received in the Receiving Section of the High Court while those meant for the Appeallate Side are received in the Central Despatch Section The registered letter dated 11 10 72 of Waltair RS post office was addressed to the Registrar, High Court of Judicature Calcutta and the registered letter dated 10 11 72 of Lalitha Colony (Vishakhapatnam) post office was addressed to the Registrar, Calcutta High Court Both these letters were issued to the concerned postman for delivery These letters were duly presented to the officials of Receiving Section and Central Despatch Section by the postman As the officials of the Sections did not accept the letters they were returned to the G P.O by the Postman with the remarks "not properly addressed hence not known". They were reissued the next day to Overseer Postman who also having tried and failed to effect delivery returned them to the G P O endorsing the earlier remarks by the concerned postman. Thereafter the letters were returned to the sender.

Breweries functioning in the country

8831. SHRI SHASHI BHUSHAN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state.

(a) the total number of breweries in the country, State-wise, their locations and the licensed capacity of each of them;

(b) whether Government are aware that most of these breweries are producing more than their licensed capacity;

(c) whether they have sought expansion licences and if so, the extent to which they have been granted expansion in each case, and

(d) if not, the steps taken or proposed to be taken against the defaulters?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND THCHNOLOGY (SHRI C SUBRAMANIAM) (a) The total number of Breweries which are in operation in the country is 11 The names of the Breweries their Location Statewise Licensed/registered capacity are given in the attached statement.

(b) No Sir Only two Breweries are reported to be producing Beer in excess of their licensed capacity

(c) and (d) Yes, Sir One of them has applied for expansion licence No decision has however, been taken in this case so far.

The general question of Industrial Units whose production has exceeded their licensed capacity will have to be considered by the Government, in the light of Sarkar Commission's recommendations to be submitted after enquiry into this matter.

Statement

Statement showing the names of the Breweries their location Statewise Licensed/ Registered Capacity :

Sl. No.	Name of the firm	Location/State	Annual capacity licensed/ registered in KL
1	M/s. Mohan-Meakin Breweries	Mohan Nagar(UP)	4091
2	M/s. Mohan Goldwater Breweries. . . .	Lucknow(UP)	5000
3	M/s. Narang Breweries	Nawabganj Gonda (UP)	2 500
4	M/s. Mohan Meakin Breweries	Solan(Himachal Pradesh)	5455
5	M/s. United Breweries	Bangalore (Mysore)	8183
6	M/s. Bangalore Breweries . . .	Bangalore (Mysore)	5000
7	M/s. Ruttonjee & Co. Ltd. . . .	Calcutta (West) Bengal)	3273
8	M s. Pilsner Breweries	Goa	5000
9	M/s. Associated Breweries	Goa	2000
10	M s. Dewans Modern Breweries Ltd. . . .	Jammu (Jammu & Kashmire)	2340
11	M/s. Lila Sons	Bhopal Madhya Pradesh)	4000

नागा संघीय सेना के भूमिगत ब्रिगेडियर सेनुका का गिरफ्तार किया जाना

8832. **श्री हुकम चन्द कछवाय :**
श्री शिव कुमार शास्त्री :

क्या गृह मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या जनवरी, 1973 मे आसाम मे भूमिगत नागा सघीय सेना के ब्रिगेडियर सेनुका को सुरक्षा दल द्वारा बन्दी बनाया गया था, और

(ख) यदि हा, तो उनके विरुद्ध क्या कार्यवाही की गई है ?

गृह मंत्रालय में उपमंत्री (श्री एफ० एच० मोहसिन) : (क) अपने को भूमिगत नागा सघीय सेना का ब्रिगेडियर कहने वाला सेनुका 30–12–1972 को नागालैड मे कोहिमा के 13 मील दक्षिण-पूर्व ग्राम अकामी मे सुरक्षा दलो द्वारा पकडा गया था।

(ख) उसको 22 जनवरी, 1973 को नागालैण्ड मे असैनिक प्राधिकारियो को सौप दिया गया था। अवैध गति-विधिया (निवारण) अधिनियम 1967 के अधीन सेनुका के विरुद्ध एक मामला दर्ज किया गया है और जांच पड़ताल की जा रही है।

वैध पारपत्रों पर महाराष्ट्र राज्य में आये पाकिस्तानी नागरिक

8833. **श्री हुकम चन्द कछवाय :** क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों में कितने पाकिस्तानी नागरिक वैध पारपत्रों पर महाराष्ट्र राज्य में आये, और

(ख) वीजा की अवधि की समाप्ति के पूर्व उन में से कितने वापिस चले गये ?

गृह मंत्रालय में उपमंत्री (श्री एफ० एच० मोहसिन) : (क) और (ख) सूचना एकत्रित की जा रही है तथा सदन के पटल पर रख दी जायगी।

शिमला के मुख्य डाकघर में आग लगना

8834. **श्री हुकम चन्द कछवाय :** क्या संचार मंत्री शिमला के मुख्य डाकघर में आग लगने से सम्बन्धित 29 नवम्बर, 1972 के अतारांकित प्रश्न संख्या 2275 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या 23 सितम्बर, 1972 को शिमला के मुख्य डाकघर में लगी आग के कारणों की जांच इस बीच पूरी हो गई है; और

(ख) यदि हां, तो उस जांच का क्या परिणाम निकला ?

संचार मंत्री (श्री हेमवतीनन्दन बहुगुणा) : (क) और (ख). जी नहीं। पुलिस इस मामले की अभी तफतीश कर रही है।

Appointments to various categories of Staff Artistes by All India Radio, Lucknow

8835 SHRI B. S. BHAURA Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether appointments in the various categories of staff artistes were made in the year 1971-72 at All India Radio, Lucknow and if so, the number of persons selected for various jobs and their qualifications,

(b) who were the members of the Selection Committee, and

(c) how many relations of the All India Radio employees were appointed?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) to (c) A statement giving the required information is attached.

Statement

Sl. No.	Name of Staff Artist appointed	Designation	Qualification	Members of Selection Committee	Whether related to any A. I. R. employee
1	2	3	4	5	6
1.	Shri Ram Kumar Saxena	Copyist	Intermediate	1. Shri R.K. Khanna Engineer-in-charge. 2. Shri I. K. Gurtu Assistant Station Director. 3. Shri P. C. Shukla. Farm Radio Officer.	Yes, his father's cousin is working as Production Assistant at Lucknow.
2.	Shri N.K. Mishra	Announcer (Junior Grade)	B.A.	1. Shri P. Mathur, Station Director, Lucknow.	No.
3.	Kumari Anuradha Sharma	Announcer (Intermediate Grade)	M.Sc. D.P.A.		
4.	Smt. Shakuntala Lyall (Mishra)	Do.	M.A.	2. Shri B. S. Kumar, Additional Station Director, Kanpur.	No.
5.	Smt. Kanti Gupta	Do.	M.A. I.T.C.	3. Shrimati S. K. Bakshi (Non-official member)	No.
6.	Shri A.K. Srivastava	Do.	B.A.		No.
7.	Smt. Suman Gupta	Do.	M.A.	Principal, Nari Shiksha Niketan.	No.
8.	Kumari Santosh Dhar	Do.	M.A.		No.

Rowdyism at Vithalbhai Patel House, New Delhi

8836. SHRI M. KATHAMUTHU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether rowdy elements staying in the quarters of Vithalbhai Patel House are creating trouble and harassing people who go to milk booth for buying milk;

(b) whether on 2nd April, 1973 one person was beaten and had to be rushed to hospital;

(c) whether on information police arrived and recorded the complaint;

(d) if so, the action taken in the matter against those responsible for beating etc.; and

(e) steps being taken to prevent such happenings in Vithalbhai Patel House Milk Booth, Rafi Marg, New Delhi?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H. MOHSIN) (a) No such complaint has come to notice

(b) Yes, a quarrel took place at the milk booth near Vithalbhai Patel House on 2.4 1973 resulting in injury to one person.

(c) Yes.

(d) A case under Section 325 IPC was registered at the Police Station, Parliament Street, New Delhi, which is pending investigation

(e) Vigilance by the best patrolling staff is being maintained and constable is being detailed daily at the milk booth at the time of distribution of milk in the morning and evening

कार्यालयों में हिन्दी का प्रयोग

8837. श्रीमती सावित्री श्याम : क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) केन्द्रीय सरकार में ऐसे अहिन्दी भाषी कर्मचारियों की संख्या कितनी है जिन्होंने गृह मंत्रालय से मान्यता प्राप्त "प्राज्ञ" की परीक्षा उत्तीर्ण कर ली है, और

(ख) उनमें से कितने कर्मचारी कार्यालय का कार्य हिन्दी में करते हैं ?

गृह मंत्रालय तथा कार्मिक विभाग में राज्यमंत्री (श्री राम निवास मिर्धा) : (क) हिन्दी न जानने वाले केन्द्रीय सरकार के कर्मचारियों, जिन्होंने अब तक प्राज्ञ परीक्षा पास कर ली है, की संख्या 97,437 है ।

(ख) राजभाषा अधिनियम के अन्तर्गत केन्द्रीय सरकार के प्रत्येक कर्मचारी को सरकारी काम में हिन्दी या अंग्रेजी का प्रयोग करने की छूट है और यह छूट उन पर भी लागू होती है, जिन्होंने प्राज्ञ परीक्षा पास की है । फिर भी, राजकीय प्रयोजनों के लिए हिन्दी के प्रयोग में उत्तरोत्तर वृद्धि हुई है । इस वृद्धि से यह प्रकट होता है कि मुख्य मंत्रालयों/विभागों के अनुभागों, जिनमें टिप्पणी व मसौदा लेखन हिन्दी में किया जा रहा है की संख्या दिनांक 31-3-1972 को बढ़ कर 448 हो गई है जब कि यह संख्या 31-3-1971 को 359 थी ।

Sub-policy for Machinery Industry within the Frame-work of Government's Industrial Policy

8838 SHRI BANAMALI PATNAIK: DR. H. P. SHARMA

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) whether a sub-policy is proposed to be formulated by his Ministry for the machinery industry within the overall frame-work of Government's industrial policy to ensure that capital goods requirements are met speedily and from Indian sources;

(b) if so, the salient features thereof; and

(c) the stage at which the proposal stands at present?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). In order to utilise available indigenous capacity for the fabrication of industrial machinery, ensure speedier deliveries and to avoid unnecessary imports, Government have evolved a "sub-policy" for machinery industries within the overall framework of the Industrial Policy. The formulation of this policy has taken into account the versatility of many of the manufacturing facilities in machinery industries and an essential ingredient is the constant upgrading of design capabilities. A condition is now being imposed in suitable cases, in letters of intent, that the applicant should set up facilities for a design organisation and submit details of the same to the technical authority concerned before conversion of the letter of intent into an industrial licence. A group of technical experts has also been set up to examine the question of constituting a Central Bureau of Design Data, work out a comprehensive list of gaps in designs and drawings facilities and also to consider the manner in which design engineering firms and fabricators, can be given necessary supporting assistance to enable the indigenous manufacture of larger varieties of equipment.

Government also consider that the utilisation of indigenous machinery capacity can be speeded up by initiating a system of tripartite consulations among manufacturers of end-products, machinery manufacturers and the Government. Instructions have been issued to the concerned officers to take recourse to such tripartite discussions more frequently.

In order to have a clearer picture as to the capacity available in various engineering industries, Government have initiated a survey of capacities in the engineering industry through the National Industrial Development Corporation.

Extension of T.V. in Fifth Plan

8840. SHRI Y. ESWARA REDDY: SHRI M. S. SANJIVI RAO: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the schemes to extend the Television net work in the country during the Fifth Plan have by now been finalised;

(b) if so, the main outlines thereof; and

(c) the estimated cost of the schemes?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) Not yet, Sir.

(b) and (c). Do not arise.

Import of Foreign Know-how for Manufacture of Tyres and Tubes in Mysore

8841. SHRI RAM BHAGAT PASWAN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government have decided to allow a Mysore entrepreneur to invite foreign collaboration and import know-how for the manufacture of tyres and tubes; and

(b) if so, the reasons for revising the earlier decision on the subject?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) and (b). A party from Madras has been issued a Letter of Intent to set up a new unit in Mysore for the manufacture of automobile tyres and tubes with a capacity of 4 lakh Nos. each per annum and their proposal for foreign collaboration with M/s. Techno Export of Czechoslovakia has also been approved by Government. Government have not revised any of their earlier decision as foreign collaboration is considered

necessary and is being permitted for the manufacture of automobile tyres and tubes.

Central Assistance to States for Minimum needs Programme during Fifth Plan

8842. SHRI BHOGENDRA JHA:
SHRI RAJDEO SINGH:

Will the Minister of PLANNING be pleased to state:

(a) whether Planning Commission is considering a special pattern of central assistance to States for implementing the minimum needs programme in the Fifth Five Year Plan to ensure that the funds do not get diverted for other purposes; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir.

(b) The matter is yet under consideration.

Fifth Plan Schemes for expansion of Mass Communication Media

8843. SHRI BHOGENDRA JHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Fifth Plan Schemes for the expansion of the mass communication media have been finalised; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) The schemes to be included in the Fifth Plan are still under consideration.

(b) Does not arise.

Studies on Performance and Potentialities of Industries

8844. SHRI C. K. JAFFER SHARIEF:

SHRI S. R. DAMANI:

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government propose to consider the question of making studies at regular intervals on the performance and potentialities of industries;

(b) whether there is any proposal under consideration to provide guidance for new investors in creating additional capacities in existing industries or promoting newer lines of production; and

(c) if so, the broad outlines thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). Government consider that the orderly creation of capacities during the Fifth Plan will be facilitated, if the industries in which capacities are needed are periodically identified and published for the information of entrepreneurs. It is, therefore, proposed to indicate the scope for licensing in different industries through a detailed industry-wise review every year and bring out annual licensing guidelines, which will not only list the specific industries but also endeavour to provide information as to the status of the industry and the preferred economic size, technology, location and other considerations which will govern licensing decisions in particular industries. This information, it is hoped will provide the necessary guidance, particularly to new entrepreneurs, to frame their investment intentions realistically and put in applications which will be acceptable to Government and are capable of being processed speedily.

Rehabilitation of Jenu Kurba and Soliga Tribals in Mysore

8845. SHRI C. K. JAFFER SHARIEF:

SHRI DHARAMRAO AFZALPURKAR:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that some Tribal Groups are facing

the problem of survival and are being deprived of their traditional occupations of shifting cultivation and food gathering in forests; and

(b) if so, the steps Government have proposed for the rehabilitation of these Jenu Kurba and Saliga Tribals in Mysore?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H. MOHSIN) (a) Some tribal communities living at the fruit gathering and shifting cultivation stage are experiencing some difficulties for various reasons. The Government are aware of this general problem

(b) A number of colonies for settling Jenu Kurba and Saliga tribals have been set up under the Tribal Welfare Programme Economic development schemes have been introduced and ashram schools have been established It is proposed to intensify these steps during the Fifth Five Year Plan and to introduce a special Centrally sponsored scheme for the economic and social uplift of these communities

Constitution of New Board of Khadi and Village Industries Commission

8846 SHRI VEKARIA
SHRI G P. YADAV

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state·

(a) when the new Board of the Khadi and Village Industries Commission is likely to be reconstituted;

(b) whether while setting up the new Board Government propose to drop some Members who had been continuing on the Board for the last more than one term in rotation and infuse new members, and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) The Government of India has extended the period of reconstitution of Khadi and Village Industries Board vide its Notification No. 6(2)/73-KVI(I) dated 30th March, 1973, with the same members as notified in the Government of India Notification No 6(2)/72-KVI(I) dated 24th November, 1972, for a further period upto 31st March, 1974

(b) and (c) Do not arise

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Two-tier System of Controlled proces for Capital Intensive Industries

8847 DR H P SHARMA· Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) whether Government have of late been considering the introduction of a two-tier system of controlled prices for capital intensive industries,

(b) if so the circumstances necessitating the introduction of the two-tier system, and

(c) the outlines of the decision taken in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM) (a) to (c). Various measures necessary to effectively bring about stability in prices are under constant review and study by the Government However no decision has been taken by Government to introduce a two-tier system of controlled prices

Inflow of Foreign Money into India

8848 SHRI SHANKER RAO SAVANT Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether foreign countries are spending money in India for political and philanthropical purposes,

(b) if so, which are these countries and what amounts were spent by them during 1970-71, 1971-72 and 1972-73 and who are the recipients of such amounts

(c) whether companies registered in foreign countries are spending any amounts for political and philanthropical purposes; and

(d) if so, which are these companies and what amounts have been spent by them during 1970-71, 1971-72 and 1972-73 and who are the recipients of such amounts?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) to (d). Government are aware that individuals and organizations have been in receipt of funds from foreign countries. In the absence of any legal obligation on their part either to disclose information or to maintain and submit for scrutiny accounts of expenses, it is not possible to furnish any precise information regarding the quantum of receipts from foreign countries or amounts spent by different recipients. In this connection, a reference is invited to the statement made by the Home Minister on 14th May, 1969 in the House. In regard to the report of the Intelligence Bureau on the use of foreign money Legislative proposals are being formulated for the purpose of imposing suitable restrictions on the receipt of funds from foreign organizations, agencies or individuals otherwise than in the course of ordinary and bonafide transactions and a Bill is likely to be introduced in Parliament at an early date

मध्य प्रदेश में खुली जेल के निर्माण हेतु मध्य प्रदेश के जेल मंत्री और गृह मंत्रालय के बीच हुआ विचार-विमर्श

8849. **श्री फूलचन्द वर्मा** : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या फरवरी, 1973 में मध्य प्रदेश के जेल मंत्री एवं उन के मंत्रालय के बीच मध्य प्रदेश में खुली जेल के निर्माण के सम्बन्ध में विचार विमर्श हुआ था ; और

(ख) यदि हां, तो अब तक इस मामले में क्या कार्यवाही की गई है और भविष्य में क्या कार्यवाही करने का विचार है ?

गृह मंत्रालय में उप-मंत्री (श्री एफ० एच० मोहसिन): (क) और (ख). डाकुओं को सजा देने के बाद उनको रखने के लिए मध्य प्रदेश में एक खुली जेल के निर्माण के बारे में अन्य बातों के साथ 20 जनवरी, 1973 को गृह मंत्रालय में राज्य मंत्री की बातचीत मध्य प्रदेश के मुख्य मंत्री और उत्तर प्रदेश के मुख्य मंत्री और राजस्थान के प्रतिनिधियों के साथ हुई थी। मध्य प्रदेश सरकार ने प्रयोग के रूप में गुना जिले में एक खुली जेल स्थापित करने का निश्चय किया है। उन डाकुओं को जिनके बारे में दोषसिद्धि की पुष्टि की जा चुकी है केन्द्रीय जेल ग्वालियर से जिला नरसिंहगढ़ जेल में भेज दिया गया है और इस जेल का प्रयोग पारगमन शिविर के रूप में किया जा रहा है जहां से उन्हें खुली जेल में भेज दिया जायगा जो गुना जिला में स्थापित की जानी है।

प्रतिनिधि मंडलों द्वारा दिल्ली में कानून तथा व्यवस्था बनाए रखने के बारे में दिल्ली के उप-राज्यपाल को ज्ञापन प्रस्तुत करना

8850. **श्री फूलचन्द वर्मा :**
श्री झारखण्डे राय :

क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कुछ प्रतिनिधि मंडलों ने दिल्ली के उप-राज्यपाल से भेंट की थी

और दिल्ली में अपराधों की रोकथाम तथा कानून और व्यवस्था बनाए रखने के लिए कारगर कदम उठाने की मांग लेकर 4 अप्रैल, 1973 को उन्हें ज्ञापन भी दिये थे; और

(ख) यदि हां, तो उन ज्ञापनों का ब्यौरा क्या है, और सरकार ने अब तक क्या कार्यवाही की है और भविष्य में क्या कार्यवाही की जानी है ?

गृह मंत्रालय में उपमंत्री (श्री एफ० एच० मोहसिन) : (क) जी हां, श्रीमान्। दो प्रतिनिधि मण्डलों ने उप-राज्यपाल, दिल्ली से भेंट की थी और ज्ञापन दिये थे।

(ख) ज्ञापनों की प्रतिलिपियां सभा पटल पर रखी गई है। [ग्रन्थालय में रखी गई। देखिए संख्या LT—/73] दिल्ली में कानून और व्यवस्था की स्थिति बनाये रखने के लिए किये गये उपायों की एक सूची संलग्न है कानून और व्यवस्था की स्थिति पर नजर रखी जाती है और उसका निरन्तर पुनर्विलोकन किया जाता है।

दिल्ली में पुलिस के बर्खास्त सिपाहियों द्वारा भारत सरकार के अधीन अन्यत्र काम करना

8851. श्री चन्द्र शेखानी : क्या गृह मंत्री यह बताने की कृपा करेंगे कि

(क) क्या दुराचार के आरोप में बर्खास्त किये गये दिल्ली पुलिस के सिपाहियों की बर्खास्तगी की अधिसूचना उन के स्थायी रिहायशी स्थानों के जिला पुलिस अधिकारियों को भेजना अनिवार्य है; और

(ख) यदि हां, तो गत तीन वर्षों में ऐसे कितने और कौन कौन से मामले दिल्ली पुलिस की जानकारी में आए हैं जिन में दुराचार के आरोप में बर्खास्त किए गए सिपाही अपेक्षित अधिसूचना प्रकाशित न किए जाने के कारण, अपना नाम व अपने पिता का नाम बदल कर भारत सरकार में आज भी नौकरी कर रहे हैं ?

गृह मंत्रालय में उपमंत्री (श्री एफ० एच० मोहसिन): (क) जी हां, श्रीमान् ।

(ख) पिछले तीन वर्षों में ऐसा कोई मामला दिल्ली पुलिस के ध्यान में नहीं आया है।

Supply of Raw Material etc., to Industries on Priority Basis

8852 SHRI MAHADEEPAK SINGH SHAKYA Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state

(a) whether Government have taken the responsibility of providing essential material to industries of private sector on priority basis, and

(b) if so, whether Government will provide essential things like finances, rare raw material and foreign exchange to the small industries also on priority basis?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM) (a) The policy for import of raw materials-which is equally applicable to industries in the private and the public sectors—is spelled out

in the Import Trade Control Policy for 1973-74, copies of which are available in the Library of the House, wherein facility for providing raw materials is given on a "need-based" basis to priority industries, and in terms of entitlements already established in the past for non-priority industries.

(b) Import of raw materials for small scale units in the priority industries is on par with the policy for large scale industries wherever the requirements are known and small scale units specifically apply for such requirement, in terms of capacity assessed. For non-priority small scale units, import of raw materials is governed by a formula pertaining to their entitlement as laid down in the Import Policy. Financial assistance to small scale units is provided liberally under various schemes by commercial banks, State Financial Corporations, and other agencies specially designated for providing assistance to the small scale sector.

Commissioning of Kalpakkam Atomic Power Plant

8853. SHRI M. R. LAKSHMINARAYANAN: Will the Minister of ATOMIC ENERGY b pleased to state:

(a) when Kalpakkam Atomic Power Station in Tamil Nadu is likely to be commissioned;

(b) whether work is progressing as per schedule; and

(c) if not, the reasons therefor?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) and (b). The first unit of the Madras Atomic Power Project (MAPP) is expected to attain criticality in 1976 and and the second unit in 1978. Full commissioning can be expected a few months after criticality. Work is progressing according to this schedule.

(c) The delay in the commissioning of the first unit of the MAPP is partly due to time taken in the effort to obtain credits to cover the foreign exchange component of expenditure involved in setting up this unit, and partly due to efforts made to manufacture equipment in India to the maximum extent possible. The second unit of MAPP was sanctioned only in May, 1971.

National Productivity Council's Schemes for Fuel Economy known as "Total Energy Concept"

8854. SHRI NARENDRA SINGH: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the National Productivity Council has put forward a scheme for fuel economy known as "total energy concept";

(b) if so, Government's reaction thereto;

(c) whether Government consider it feasible to apply to concept in public sector Undertakings; and

(d) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE): (a) Yes, Sir.

(b) The N.P.C. is processing the recommendations of the delegation to the Seminar on 'Total Energy and Energy Substitution' held in March, 1973. As soon as they are received by the Government, due consideration will be given.

(c) and (d). Do not arise at this stage

Regularisation of Break Period of Government Employees who took part in Freedom Struggle

8855. SHRI SAMAR GUHA: Will the PRIME MINISTER be pleased to state

(a) whether the issue of break

period of service in regard to seniority, pension and gratuity for Government employees who suffered or got penalized for their participation in freedom struggle and who got re-employed after Independence, is yet to be settled; and

(b) if so, the reasons therefor and the action being taken by Government to finalise the matter?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA) (a) and (b). Instructions already exist to the effect that in the case of Government servants who were removed, discharged or dismissed from service on account of their patriotic activities or their participation in national movements designed to secure the independence of the country, or who resigned their appointments out of patriotic motives, or in order to participate in the national movements, on their re-employment under Government, the period of break would count towards seniority as service in the grade or post in which the person was employed before the break, unless there are special reasons to hold that it would count as service in some other grade or post. As regards pensionary benefits in such cases while, according to existing instructions, the period of break in service does not count for this purpose, the question whether this should be allowed to count for pensionary benefits is under consideration of Government consequent on a representation having been received recently in this regard.

दिल्ली प्रशासन में लोअर डिवीजन क्लर्क के पदों पर पदोन्नति

8858. **श्री अम्बेश** : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली प्रशासन, दिल्ली में विभागीय परीक्षा के आधार पर चौकीदार, चपरासी आदि से लोअर डिवीजन क्लर्क पदोन्नत करने के लिए आवेदन पत्र मांगे गये है और आवेदन-पत्र प्राप्त करने की अन्तिम तिथि 26 फरवरी, 1973 थी ;

(ख) क्या लोअर डिवीजन क्लर्क के पद पर नियुक्ति के लिए चौकीदार या चपरासी के पद पर 5 वर्ष तक की नौकरी होना आवश्यक है ;

(ग) क्या दिल्ली प्रशासन में लोअर डिवीजन क्लर्क के पदो पर काम करने वाले अनुसूचित आदिम जातियों के व्यक्तियों की सख्या उनके लिए सुरक्षित पदो से कम है, और

(घ) यदि हा तो क्या सरकार अनुसूचित जाति तथा अनुसूचित आदिम जातियों के लोगो के लिए सुरक्षित सीटों को भरने के लिए इन जातियों के मामले में चौकीदार, चपरासी आदि के पदो पर 5 वर्ष तक सेवा करते रहने की अवधि को कुछ कम करेगी ?

गृह मंत्रालय में उप-मंत्री (श्री एफ० एच० मोहसिन) : (क) ग्रेड IV में रिक्तियो को भरने के लिए अर्थात् लोअर डिवीजन क्लर्क के पदो के 10 प्रतिशत पदोन्नति के कोटे के विरुद्ध दिल्ली प्रशासन ने अपने विभागो मे उन सभी श्रेणी IV के कर्मचारियों के नाम भेजने का अनुरोध किया था जो परीक्षा मे बैठने के इच्छुक और पात्र थे ।

(ख) जी हा, श्रीमान्।

(ग) जी हा, श्रीमान् ।

(घ) जी नही श्रीमान् भरती । नियमों में निर्धारित पात्रता की शर्तें सभी

उम्मीदवारों पर लागू होती हैं और अनुसूचित आदिमजाति के उम्मीदवारों के मामले में कम करने योग्य नहीं हैं।

Application for setting up of Industries in Backward Areas of Orissa

8859. SHRI ARJUN SETHI: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state how many applications for starting industries in the selected backward districts of Orissa have been received up to date under the concessional subsidy and 10 per cent Central out-right Grant or subsidy schemes?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): As reported by the central financial institutions 19 applications for loans under concessional finance schemes were received from the backward districts of Orissa upto 31st December, 1972, out of which 15 applications have already been sanctioned concessional finance worth Rs. 31.38 lakhs.

As regards 10 per cent Central out right grant or subsidy scheme, the State Government of Orissa have, so far, reported that 49 applications have been received/registered by them out of which 15 applications have been sanctioned a subsidy of approximately Rs. 4,00,000.

Bilingual Teleprinter Machine Manufactured by Hindustan Teleprinter, Madras

8860. SHRI R. V. SWAMINATHAN: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether a bilingual teleprinter machine has been manufactured by the Hindustan Teleprinter, Madras;

(b) if so, whether the Teleprinter machine is in demand in other countries; and

(c) if so, the foreign exchange expected to be earned on its sale to other countries during 1973-74?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. PAHUGUNA): (a) The Hindustan Teleprinters Ltd., Madras have developed a Bilingual Teleprinter Machine.

(b) Yes.

(c) No firm orders have been received by the Hindustan Teleprinters Ltd, yet. As such, it is not possible to forecast at present the foreign exchange expected to be earned from the export of bilingual teleprinter machines during 1973-74.

Decision to vest powers under Commission of Inquiry Act to the Facts Finding Committee on Economics of Newspaper

8861. SHRI R. V. SWAMINATHAN: Will the Minister of INFORMATION AND BROADCASTING be pleased to state

(a) whether Government have decided to vest in the fact finding committee set up to enquire into the economics of the newspaper industry powers under the Commision of Inquiry Act; if so, the nature of powers vested in the Committee;

(b) whether the Committee had issued a questionnaire and the time for replies to them was extended twice as there was no response from the bigger newspapers, and

(c) when the final report of the Fact Finding Committee is likely to be submitted to Government?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) Government have invested the Fact Finding Committee with powers under the Commissions of Inquiry Act, 1952. A copy of the Gazette notification issued on 26th

Agreement reached by India, with

on the Table of the House on 27th

April, 1973. All provisions of the aforesaid Act except those of sub-section (1) of section 5 have been made applicable to the Committee.

(b) Yes, Sir. The Committee issued a detailed questionnaire to all daily newspapers in the first week of September 1972. The last date for receipt of replies to the questionnaire was October 15, 1972, which was later extended, at the request of several newspapers and newspaper associations, to November 15, 1972. In spite of repeated reminders, replies have not been received from a number of newspapers. Among the defaulters, there are big, medium as well as small newspapers.

(c) The Committee has informed Government that it will require, for processing the data and writing the report, six months' time from the date on which sufficient information and data have become available.

Agreement reached by India with Soviet Standardisation Experts

8862. SHRI R. V. SWAMINATHAN: Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether a delegation of Soviet Standardisation experts had been in India on 23rd March, 1973;

(b) if so, whether the current visit was a follow-up of the Indo-Soviet agreement on Science and Technology signed in Mysore;

(c) if so, what discussions were held; and

(d) the agreements reached?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) Yes, Sir. A five-member delegation led by Mr. A. M. Nikiforenko, Vice-President, USSR State Committee for Standards visited India during 19—26th March, 1973.

(b) Yes, Sir.

(c) and (d). The delegation held discussions with an Indian delegation which was led by Dr. S. K. Sen, Director-General, Indian Standards Institution in these fields. The list contives of the various ministries and departments. The draft Soviet and Indian proposals for co-operation in the field of standardisation and metrology were discussed and a list of proposals was finalised for future cooperation in these fields. The list contains five major areas of cooperation

(a) Standardisation and Quality Assurance.

(b) Materology.

(c) Exchange of Information and Documents.

(d) Exchange of Delegations, Experts, Consultants and Lecturers.

(e) Training of Experts.

Executive Bodies in the two countries concerned with these items would work out details of cooperation. This would be considered by the Working Group which would be set up to plan, programme and review the progress of collaboration. This is likely to be finalised during the visit of the Indian delegation to USSR in August, 1973.

Percentage of Women Employees in Central Government

8863. SHRI M. M. JOSEPH: Will the PRIME MINISTER be pleased to state

(a) the percentage of women employees in the Central Government; and

(b) whether Government have considered to have some special departments exclusively for women?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL: (SHRI RAM NIWAS MIRDHA): (a) The percentage of women to the total number of employees in Central Government, as on 31st March, 1971, was 2.5.

(b) Article 16(2) of the Constitution of India provides that no citizen shall, on grounds only of religion, race, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State. As such, there has been no occasion to consider the question of setting up any special departments exclusively for women.

Selection of Hindustani Classical Music to be relayed over AIR

8864. SHRI HEMENDRA SINGH: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the names of members of the Committee which selects programmes to be relayed on the AIR for Hindustani classical music;

(b) whether they select the Ragas to be relayed according to the time and season in which they are generally sung and played; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) There is no Committee for selection of programmes for broadcast of Hindustani music over AIR. The programmes are planned and artists booked by the Producers in charge of classical music at the Stations.

(b) The Ragas are selected in consultation with the artists.

(c) Does not arise.

Grant of Pension to Freedom Fighters from Bhilyara (Rajasthan)

8865. SHRI HEMENDRA SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of applications received from freedom fighters from District Bhilwara (Rajasthan); and

(b) the names of persons out of them who have been granted pensions and the number of applications rejected as also of those kept pending?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) 61 applications have been received till 28th April, 1973.

(b) Out of 61, pension has been sanctioned to 8 persons and their names are given in the attached statement. 6 have been rejected and the number of cases pending is 47.

Statement

S. No.	Name
1.	Shri Phool Chand Bihani.
2.	Shri Ramesh Chandra Ojha.
3.	Shri Fateh Singh Yadav.
4.	Shri Ladu Ram Vyas.
5.	Jai Pal Singh *alias* Akshu Dutt.
6.	Shri Bhawani Shanker Dukhit.
7.	Shri Ram Chand Vaidya.
8.	Smt. Narayani Devi.

Grant of Indian Citizenship to Refugees from Bangladesh and Pakistan

8866. SHRI HEMENDRA SINGH: Will the Minister of HOME AFFAIRS be pleased to state the rules under which the refugees from Bangladesh and from Pakistan can be given citizenship of India and the procedure to be adopted by them if they want to move out from their refugee camps on humane grounds?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): Applications for citizenship are considered on merits under the Citizenship Act,

1955 and the rules made thereunder. Under the existing policy, the refugees from Bangladesh who came to India after 25th March, 1971 and those from Pakistan will have to go back to Bangladesh and Pakistan, as the case may be and, as such, the question of granting them Indian citizenship does not arise. Adequate arrangements have been made in the camps to provide medical and educational facilities to the refugees and their children. Those wanting to move out of the camps will have to take the permission of the Labour and Rehabilitation (Department of Rehabilitation) on furnishing an undertaking that in future they will not ask for any relief and rehabilitation assistance from the Government.

Applications for setting up Industries in Bhilwara (Rajasthan)

8867 SHRI HEMENDRA SINGH: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state.

(a) how many applications are pending with his Ministry, with the names of firms and persons who want to start industries in the backward District of Bhilwara; and

(b) the names of the industries which have started or have been given permission to do so after it was declared industrially backward?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C SUBRAMANIAM): (a) One application for 1972 and three for 1971 are pending. Details of pending applications are normally not disclosed.

(b) One licence for setting up a spinning factory for the manufacture of cotton yarn at Bhilwara has been issued during the period 1970 to 1972. It is understood that effective steps to implement this licence have been taken.

Grant of Pension to Freedom Fighters from Madhya Pradesh

8868. SHRI RANA BAHADUR SINGH. Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of freedom fighters from Madhya Pradesh, district-wise who have been granted pension by Central Government and

(b) the number of freedom fighters recommended by the State Government of Madhya Pradesh?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H MOHSIN): (a) Information is given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-4937/73].

(b) The number of cases recommended by the State Government upto 28th April, 1973 is 280.

Development of Bundelkhand Region

8869 SHRI RANA BAHADUR SINGH: Will the Minister of PLANNING be pleased to state:

(a) whether Government have set up a Committee to study the problem of development of Bundelkhand region, if so the constitution of this Committee and its terms of reference; and

(b) the districts of Uttar Pradesh and Madhya Pradesh being covered by this Committee?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA) (a) and (b). On the suggestion of the Central Zonal Council made in its meeting held on July 10, 1972, a Joint Coordination Committee for Bundelkhand Area consisting of the officers of Madhya Pradesh and Uttar Pradesh has been set up under the Chairmanship of a Programme Adviser of the Planning Commission This Committee will assist the two States in the formulation of an integrated plan and strategy of development for Bundelkhand Area.

The constitution of the Joint Co ordination Committee is as follows:

Madhya Pradesh	Uttar Pradesh
Planning Secretary	Commissioner, Bundelkhand Division, Jhansi.
Commissioner, SagarDivision, Sagar .	Superintending Engineer, Irrigation Department, Lucknow.
Officer on Special Duty (E&S, C.M's Secretariat)	Chief Engineer, State Electricity Board, Lucknow.
	Additional Chief Engineer, Public Works Department (Roads), Lucknow.
	Commissioner and Planning Secretary, Planning Department, Lucknow.

The following districts form part of the Bundelkhand Area:

Madhya Pradesh	Uttar Pradesh
Sagar	Banda
Teekamgarh .	Jhaasi
Chhatarpur . .	Hameerpui
Panna	Jalaun
Damoh	
Datia	

Delinking of Media of Communications from Big Business

8870. SHRI DEVINDER SINGH GARCHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether some measures are being devised by Government to delink all media of Communications including the press from big business, etc.; and

(b) if so, what prevents the Government from taking necessary steps immediately?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b). Proposals for de-linking newspapers from industrial and business houses are being examined by Government in the light of Supreme Court's judgment on newsprint policy for 1972-73 and their recent judgment on the validity of Constitutional Amendments.

Increase in prices of Cement

8871. SHRI DEVINDER SINGH GARCHA Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government propose to allow an increase in the price of cement in order to enable this industry to expand and set up additional capacity to meet the growing demand;

(b) if so, the quantum of proposed increase in prices; and

(c) whether steps have been taken to ensure that the additional surpluses actually go towards expansion and increase in production?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c). The question of revision of ex-works price of cement is under the consideration of Tariff Commission. They have submitted an interim report recommending an interim increase in price subject to suitable revision in the light of the final report of the Commission. This is under examination by the Government.

आर० एम० एस० आफिस, जयपुर में चतुर्थ श्रेणी के कर्मचारी

8872. **श्री ओंकार लाल बेरवा :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या आर० एम० एस० आफिस, जयपुर में चतुर्थ श्रेणी के कर्मचारियों की कमी है ;

(ख) क्या उक्त आफिस ने चतुर्थ श्रेणी के अतिरिक्त कर्मचारियों की भी मांग की है ; और

(ग) यदि हां, तो उन्हें चतुर्थ श्रेणी के अतिरिक्त कर्मचारी न दिये जाने के क्या कारण हैं ?

संचार मंत्री (श्री हेमवतीनन्दन बहुगुणा) : (क) जी नहीं । जितने कर्मचारियों की मंजूरी है उतने कर्मचारी वहां दे दिए गए हैं ।

(ख) जी हां ।

(ग) अभी सितम्बर, 1972 में ही 5 ½ अतिरिक्त चतुर्थ श्रेणी कर्मचारियों के पदो की मंजूरी दी गई थी । तारीख 23-4-73 को भेजे गए अतिरिक्त कर्मचारियों के ताजे प्रस्ताव की जांच की जा रही है । यदि और अधिक पदो का औचित्य सिद्ध होगा तो उनकी मंजूरी दे दी जाएगी ।

इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा द्वारा माल का निर्यात

8873. **श्री ओंकार लाल बेरवा :** क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) नया इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा ने चालू वर्ष में कितना माल निर्यात किया है ;

(ख) किन देशों का माल का निर्यात किया गया ; और

(ग) किस तरह का माल निर्यात किया गया ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री प्रणव कुमार मुखर्जी) : (क) से (ग). वर्ष 1972-73 के दौरान इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा में इथ्योपियका थाईलैण्ड, मलावी, नेपाल और श्रीलंका को लगभग 5,66,000 रुपये की कीमत का माल निर्यात किया था । निर्यातित माल में इलैक्ट्रानिक ब्रिज रिकार्डर, पाइरोमेट्रिक इण्डीकेटिंग कन्ट्रोलर, थरमोकापल्स, स्ट्रिप चार्टस् तथा औजारो के हिस्से शामिल हैं । इसके अलावा इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा को मलेशिया सरकार से 1.5 करोड़ रुपये मूल्य का ठेका विश्व व्यापी निविदाओं की प्रतिस्पर्धा से मिला है । यह ठेका उस देश के विद्युत् केन्द्रों की टर्न-की

आधार पर इन्स्ट्रूमेन्टेशन सिस्टम देने हेतु किया गया है।

इन्स्ट्रूमेन्टेशन लिमिटेड की नई शाखाएं

8874. **श्री ओंकार लाल बेरवा :** क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा की शाखाएं देश में कहां कहां स्थित हैं; और

(ख) इस कारखाने की शाखाओं को अब तक कितने प्रतिशत रूसी सहायता दी गई है ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री प्रणव कुमार मुखर्जी) : (क) इस समय कोटा (राजस्थान) में इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा का एक निर्माण एकक है। पालघाट (केरल) में द्वितीय एकक स्थापित करने हेतु कदम उठाए जा रहे हैं।

(ख) अभी तक इन्स्ट्रूमेन्टेशन लिमिटेड, कोटा और प्रस्तावित पालघाट एकक के लिए क्रमशः 2.970 मिलियन रूबल्स और 0.437 मिलियन रूबल्स की सहायता प्राप्त हुई है।

Selection Grade Station Directors Retiring in 1973

8875. SHRI MANORANJAN HAZRA: SHRI JAGADISH BHATTACHARYYA:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state the names of the selection grade Station Directors of All India Radio who are retiring in 1973?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): The following officers of the cadre of Station Director (Selection Grade) in the All India Radio, are due to retire from service in the year 1973:—

1. Shri K. P. Shungloo, Station Director, All India Radio, New Delhi.
2. Shri Gopal Das, Director of Programmes (Policy), Directorate General, All India Radio, New Delhi.
3. Shri Romesh Chander, Director Television (Satellite), Directorate General, All India Radio, New Delhi.
4. Shri Ashfaq Hussain, Station Director, All India Radio, Bombay.

शरणार्थी सहायता डाक टिकटों को बदलना

8877. **श्री शिव कुमार शास्त्री :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को ऐसी शिकायतें प्राप्त हुई है कि सरकार द्वारा स्पष्ट घोषणा के बावजूद दिल्ली के कुछ डाकघर शरणार्थी सहायता डाक टिकटों को बदलने में आनाकानी कर रहे है, और यदि हां, तो उनकी संख्या क्या है; और

(ख) क्या सरकार ने इस बारे में कोई जांच की है और यदि हां, तो उसका क्या परिणाम निकला है ?

संचार मंत्री (श्री हेमवतीनन्दन बहुगुणा) : (क) जी हां। तीन शिकायतें प्राप्त हुई हैं।

(ख) एक मामले में उप-पोस्टमास्टर ने शिकायत का निपटारा उसी समय कर दिया था। दूसरे दो मामलों में जांच पड़ताल का कार्य हो रहा है। यह कार्य अभी पूरा नहीं हुआ है।

Administrative Structure for better Implementation of Plans

8878. SHRI NAWAL KISHORE SHARMA: Will the Minister of PLANNING be pleased to state:

(a) whether Planning Commission has taken a final decision about the administrative structure for better implementation of plans if so, the outline thereof; and

(b) the time by which the changes will be effected?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA). (a) and (b): A broad indication of the changes necessary in the administrative structure for better implementation of Plans are given in Chapter XII of the document, "Approach to the Fifth Five Year Plan".

The details are still being worked out.

Introduction of Advertisements over T.V.

8879. SHRI NAWAL KISHORE SHARMA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is a proposal under the consideration of Government to allow advertisement on T.V.:

(b) if so, the extent to which advertisement on TV will save the time of All India Radio;

(c) whether the charges for advertisements on T.V. will be on enhanced rates; and

(d) if so, the rates proposed for the purpose?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) No; Sir.

(b) to (d): Do not arise.

Loss to Industries in Rajasthan due to Power Cut

8880. SHRI NAWAL KISHORE SHARMA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether as a result of power cuts, industries in Rajasthan have suffered considerably; and

(b) if so, the names of industries which have suffered loss and the extent of loss suffered in production since October, 1972?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) and (b): Rajasthan is one of the States which have been badly affected by power cuts. However, an accurate computation of the loss of production in respect of different industries, on account of power cuts alone, is not possible in view of the large number of industrial units involved and the diversity of factors affecting industrial production.

The Cement industry in Rajasthan is however reported to have suffered a loss of about 1,3000 tonnes in production during the year 1972 mainly on account of power shortage.

Meena Tandon Murder Case

8881. SHRI PANNA LAL BARUPAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) who are the persons against whom strictures passed by Court in Meena Tandon Murder Case still stand;

(b) whether a top Police Officer had deposed in Court that this case had been investigated by the local police under the guidance of senior officers and this fact was coroborated by the I.G. Police office in a letter sent to Ministry of Home Affairs in August 1969;

(c) whether in July, 1969, important witnesses in this case had been examined by top Police Officers; and

(d) whether the C.B.I. had also found lapses against top Police Officers and the Doctor who conducted the post mortem, but they have been exonerated?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) None, Sir.

(b) A senior Police Officer had stated in the Court that he had been discussing this case with the Supdt. of of Police, North off and on.

A letter in this regard was received in the Ministry of Home Affairs in August, 1969.

(c) Yes, Sir.

(d) Departmental action against the Officers against whom lapses have been pointed out by the C.B.I. is under examination

Supply of Telecommunication equipment to Bangladesh

8882. SHRI M. RAM GOPAL REDDY: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether an agreement has been signed for the supply of telecommunication equipment to Bangladesh; and

(b) if so, the main features of the agreement?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUIA): (a) Yes, Sir. Signed on 7th April, 1973.

(b) Following are the main features of the Agreement:—

(i) The agreement is in pursuance of the terms and conditions of the "credit Agreement dated 16th May 1972" between the Government of India and the Govt. of People's Republic of Bangladesh for a loan of Indian rupees one hundred million for the rehabilitation of Railways system, supply of telecom. equipment and power generation equipment.

(ii) The Indian P. T. will supply telecom, equipment of Indian manufacture to Bangladesh T & T up to a value of Indian rupees thirty lakhs.

(ii) All the materials are to be supplied by 31st December, 1973.

Creation of Industrial Infra-Structure in Backward Districts

8884. SHRI RAJDEO SINGH: Will the Minister of PLANNING be pleased to state:

(a) whether the Planning Commission proposes to make provision and ask the related Union Ministries to take up the task of creating industrial infrastructure in consultation with the concerned State Governments in the backward regions; and

(b) if not, what other way is being conceived to provide infrastructure so that entrepreneurs may be induced to opt for backward districts and regions as desired by Government?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). The approach to the development of backward areas/regions including the provision of infrastructure has been spelt out in the "Approach to the Fifth Plan", which emphasises the creation and expansion of basis economic and social infrastructure covering irrigation, communications, credit marketing, power, education, health and administrative improvements for the development of backward areas/regions. Further details are yet under consideration.

Slow progress made by India in Computer Science as compared to China

8885. SHRI RAJDEO SINGH: Will the Minister of ELECTRONICS be pleased to state:

(a) whether Government are aware of the progress made by China which according to a U.S.A. Science journal American Scientists were surprised at the advance in computer science made by China during the last five years;

(b) whether China has right now over 200 computers including "third generation" machines of its own design whereas in contrast India has only about 150 "second generation" computers most of them American designed; and

(c) if so, the reasons of our slow progress in spite of borrowed know-how and having entered the computer race years before China did?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT): (a) to (c). Government are aware and have taken note of Reports which have appeared in popular Science Journals in USA and UK on the progress made in China in the field of Computer Science and Technology. If these Reports are fully correct, then China has made significant progress in this field. However, since no independent assessment has been made by any Indian observer, Government are unable to make any comments beyond this, on these reports Within India, the Indigenous computer manufacturing programme commenced in 1969, at the Electronics Corporation of India Ltd., Hyderabad which is a wholly central Government owned public-sector undertaking. This programme is being backed fully by Government including financial assistance in the form of grants and loans. Earlier programmes in this field were entirely those of subsidiaries of foreign companies operating in India and these have not significantly helped the growth of self-reliance in this field. In view of the great importance of computers for national development and for the growth of electronics as a whole, the Department of Electronics is taking a number of steps to ensure that indigenous capability and self-reliance is generated as rapidly as possible for he manufacture of computers as well as of various sub-assemblies and components.

पांचवीं योजना के लिए विदेशी सहायता

8886. **श्री श्रीकृष्ण अग्रवाल** : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पाचवी पचवर्षीय योजना के लिए विदेशी सहायता लेने का प्रस्ताव है ;

(ख) यदि हा, तो कितनी विदेशी सहायता ली जायेगी , और

(ग) यह सहायता किन देशो से ली जाएगी ?

योजना मंत्रालय में राज्य मंत्री (श्री मोहन धारिया) : (क) से (ग) पांचवी पचवर्षीय योजना की कुल अवधि के लिए 3000 करोड रुपये की कुल विदेशी सहायता की परिकल्पना की गई। ब्याज की अदायगियो और ऋण की अदायगियो सहित जो देनदारी (डेट सरविस) निभानी पडेगी उसकी राशि 2360 करोड रुपये है और इस प्रकार योजना के आरम्भिक वर्षों मे 640 करोड रुपये की शुद्ध सहायता उपलब्ध होगी । अन्तिम वर्ष मे यह शुद्ध सहायता बिल्कुल समाप्त कर दी जायेगी। सभी मित्र देशों से सहायता प्राप्त की जायेगी ।

Employment to Engineers and Scientists in 1973-74

8887. SHRI SHRI KRISHNA AGGARWALA:

SHRI RAGHUNANDAN LAL BHATIA:

Will the Minister of PLANNING be pleased to state:

(a) whether any special scheme has been formulated for giving employment to engineers and scientists during 1973-74;

(b) if so, the main features thereof; and

(c) whether the proposals have been accepted and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) to (c). Government's objective is to ensure employment to all highly qualified engineers and scientists by the end of 1973-74. Apart from the various programmes included in the several developmental sectors in the Annual Plan 1973-74 which would benefit engineers and scientists, a number of special employment schemes initiated in 1971-72 and 1972-73 and the new scheme for providing Half a Million Jobs to educated unemployed during 1973-74 are also expected to generate a large number of employment opportunities for engineers and scientists during 1973-74.

The outlays under the various employment programmes in 1973-74 are as follows:—

	(Rs. crores)
1. Agro Service Centres	0.76
2. Land and Soil survey-Natural Resources	0.85
3. Forest survey—Natural Resources	1.00
4. Ground Water Survey—Natural Resource	4.34
5. Rural Engineering Surveys	2.85
6. Investigation of Irrigation and Power Projects	6.11
1. Financial assistance to Entrepreneurs	13.00
8. Survey of India Programmes	1.25
9. Investigation of Roads Projects	0.90
10 Design Units for Rural Water Supply	0.44
11. Mineral Surveys—Natural Resources	1.00
12. Special Employment Programmes in States and Union Territories Central Assistance)	27.00
13 Half a Million Jobs for Education	100.00
Total	159.50

Under the programme for Half a Million Jobs for Educated job seekers in 1973-74, creation of job opportunities for highly qualified engineers and scientists will be given the first priority. The schemes being formulated under this programme relate to (i) self-employment schemes for various categories of educated job-seekers including engineers and scientists, (ii) training schemes for educated job seekers for enabling their absorption in jobs on completion of training, (iii) surveys, studies and investigations and (iv) subsidised employment of engineering degree/diploma holders and certain other categories of educated persons. The scheme of subsidised employment envisages the employment of engineering degree and diploma holders by private industrialists of the small and medium sector on the basis of a 50 per cent subsidy from Government subject to a ceiling of Rs. 200 per month for engineering degree

holders and Rs. 125 per month for engineering diploma holders.

Besides, several steps have also been taken to promote self-employment among engineers. A number of State Governments have provided concessions such as exemption from payment of earnest money deposit, preference in tender rates etc., to engineers taking up contract work, individually or in groups. Schemes to provide financial assistance to engineers, technicians and other educated persons, who wish to take up small scale industries, are under implementation by a number of agencies. In some of the States, technicians are allotted build-up sheds and easy-terms of assistance to set up small-scale industries. The State Bank of India and its subsidiaries and other nationalised banks have also initiated various schemes to assist the engineering entrepreneurs to set up their own ventures. The Ministry of Industrial Development and the Small Scale Industry Service Institute have also been conducting special training courses for technicians.

It is expected that all employed graduates engineers would be found opportunities for gainful employment by the end of the current financial year.

Utilisation of Capacity in Industries

8888. SHRI BAKSI NAYAK:
SHRI MAHADEEPAK SINGH SHAKYA:

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the percentage utilisation of Industrial capacity in the public and private sector in the country;

(b) whether utilisation of industrial capacity has decreased during the last two years;

(c) the extent thereof; and

(d) whether any initiatives have been taken are being taken by Government to ensure optimum utilisation of existing capacity and if so, the nature thereof?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). A statement showing capacity utilisation in selected industries during the years 1970 to 1972, is laid on the Table of the House. [*Placed in Library. See* No. LT-4938/73]. From this statement it will be observed that though in certain industries the percentage utilisation of capacity decreased during the years 1971 and 1972 as compared to that in 1970, in respect of some other industries the utilisation of capacity has increased.

(d) Some of the steps taken by the Government for fuller utilisation of capacity are:

(i) Liberalisation of industrial licensing policy and streamlining of licensing rocedure;

(ii) Permission to operate on multi-shift basis where licences had been issued on the basis of a single or double shift working, and permission to produce upto 200 per cent of licensed capacity in other cases, in respect of a total of 65 selected industries of importance; provided that the concerned industrial units do not belong to Larger Houses or to foreign majority firms, whose applications for such capacity expansion and regularisation were to be considered on merit by a specially constituted Task Force;

(iii) Exemption from industrial licensing for investments upto Rs. 1 crore for all applicants other than those belonging to large houses and foreign majority firms subject to their satisfying prescribed conditions.

(iv) Liberlisation of import policy for raw materials particularly in regard to steel which has been in short supply, with a view to accelerating the rate of industrial production;

(v) Streamlining of procedures for consideration of applications for industrial licences and for capital goods import; and

(vi) Removing of bottlenecks in the full utilisation of capacity in public sector industrial undertakings, for which a special group has been constituted under a Member of the Planning Commission.

Defects in Cross-bar Exchange

8889. SHRI S. C SAMANTA:
SHRI YAMUNA PRASAD MANDAL:

Will the Minister of COMMUNICATIONS be pleased to state:

(a) what are the defects that have been detected in the cross bar-exchange, and how they are being remedied,

(b) what are the reasons that these defects were not noticed by our experts etc., before the deal was finalised; and

(c) who will be responsible for the loss being incurred in getting replacements, and for the hardship experienced by subscribers, users and others?

THE MINISTER OF COMMUNICATIONS (SHRI H. N BAHUGUNA): (a) the deficencies observed in the working of Crossbar exchanges are. –

(i) Inadequate contact protection.

(ii) Component failures.

(iii) Instability of mechanical adjustments.

(iv) Minor circuit problems.

(v) Corrosion.

In respect of all crossbar exchanges for which equipment has been supplied by M/s. BTM Belgium, a programme to rectify the above deficiencies is on hand. As regards the rectification work involved in the crossbar exchanges which have been installed with equipment supplied by M/s. ITI of Bangalore, measures to rectify the above deficiences are under consideration.

(b) The choice of the tender for crossbar exchange equipment by our experts was based on the consideration involving broad system concepts, facilities etc., detailed information for which was furnished by the tenderers. It was neither possible for our experts, who had decided on the choice of the systems to check the design of each and every individual component or circuit of the system, nor such a procedure was followed.

All the telephone exchanges installed with cross-bar type equipment are working and giving service. Only their performance has not been wholly satisfactory due to deficiencies mentioned in part (a) above, which could be detected only afrter the exchanges were commissioned

(c) M/s BTM of Belgium are supplying free of cost the necessary materials required for rectification of the above deficiencies. They have also agreed in principle to defray the cost of execution of modifications to remove the above deficiencies. With the rectification of above deficiences the crossbar exchanges are expected to provide satisfactory service, thus removing the hardship caused to subscribers, users and others.

Demands for Telephones in Delhi and New Delhi

8890. SHRI S. C. SAMANTA: Will the Minister of COMMUNICATIONS be pleased to state:

(a) the efforts being made by the Ministry to meet the demand for telephones under various categories in

the capital towns of Delhi and New Delhi;

(b) what are the main hurdles in the way and how are they being overcome; and

(c) by what time the Ministry will be in a position to meet the demands in full?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA): (a) A total of about 55000 lines are being added to the equipped capacity of Delhi Telephones system during the next five years.

(b) the main hurdles in the way of meeting the telephone demand at Delhi as well as other stations in the country are:

(i) Shortage of automatic exchange equipment.

(ii) Shortage of Underground Cables; and

(iii) Shortage of telephone instruments.

To remedy the shortages the following action has been taken:

(i) A second Factory for the manufacture of Switching Equipment is being set up in the Fifth Plan at Rae Bareilly in Uttar Pradesh.

(ii) A new underground cable Factory has recently been set up at Hyderabad and the capacity of the existing factory at Roopnarainpur is also being augmented;

(iii) A new unit for assembly of telephone instruments has been set up at Naini.

(c) Even as the existing demands are being met gradually, additional demands come up at a very fast rate Hence it may not be possible to meet the demands in full in the near future. In the draft Fifth Five Year Plan it has been proposed to make the telephone demands generally current in Delhi by 31st March, 1986.

Staff in News Reading Section/Announcement Section working as Casual Staff in A.I.R.

8891. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) how many persons in the News Reading Section or in the Announcement Section are working as casual staff in the Calcutta Station of A.I.R.;

(b) whether any proposal has yet been adopted to recruit staff for the aforesaid sections on permanent or contract basis; and

(c) whether the A.I.R. staff is permitted to earn money by profession outside A.I.R. jurisdication?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a). Six.

(b) No, Sir. The work assigned to these persons is, at present, of a temporary nature.

(c) Yes, Sir, as per the terms of contract.

Organisation of R. and D. in Industries

8892. SHRI INDRAJIT GUPTA: Will the Minister of SCIENCE AN TECHNOLOGY be pleased to state:

(a) whether the R. and D. panel of the Engineering Association of India (Western Region) has submitted a memorandum to Government on the problems of organising R. & D. in industries;

(b) if so, the suggestions made in the memorandum; and

(c) Government's reaction thereto?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) Yes, Sir.

(b) The main suggestions related to:—

1. R.&D. work in the Engineering Industry.
2. R. & D. Cess.
3. Cooperation and Coordination between industries and Research Bodies.
4. The Tax concessions under Section 35 and 80 MM and 80 O of the Income Tax Act.
5. Industrial Licensing Policy.

(c) The recommendations are under consideration of the "Committee on R & D in the Private Sector Industry" constituted to make recommendations regarding policy in regard to the execution and commercialisation of research and development in private industry.

Development of Industries in Koraput and Ganjam Agency (Orissa)

3893. SHRI GIRINDHAR GOMANGO: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the level of development of small scale and big industries in tribal and industrially backward areas of Koraput and Ganjam Agency of Orissa compared to the other parts of the State;

(b) whether the hilly areas of these two districts have got rich minerals;

(c) whether Government of India are going to start forest based industries and mineral-based industries and Agro-industries in Koraput and Ganjam Agency in Fifth Plan;

(d) whether a complete survey report has been submitted by the I.D.C. Orissa to the Government of India for the development of these backward areas; and

(e) if so, the steps taken by the State Government and the Centre so far in this regard?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (e). Koraput which has been identified as an industrially backward area has 173 small scale units with an invesment of about Rs. 144 lakhs and employing 1798 persons. This district is reported as being fairly rich in bauxite, lime stone dolomite, iron-ore, graphite, and manganese, some of which have been put to industrial uses. Ganjam has not however been identified an industrially backward.

While Government have not received any survey report from the state IDC of Orissa, the Joint Institutional Study Team of the IDBI has conducted a industrial potential survey of the ideas. The report has suggested the following industries for the state:

Jute mills, vegetable oil, pine-apple crushing and bottling coconut complex, sal seed oil, myrobalam extract; high carbon ferro-chrome, flushing gas reports, ferro-vanadium, cement, ferro-sillicon, pre-stressed concrete pipes, refactories and aluminium.

The location of these industrial projects would in each case depend upon the techno-economic feasibility. The survey report of IDBI is being studied by the Committee of Direction in consulatation with the State Government to determine a further course of action, such as preparing feasibility studies for the information of prospective entrepreneurs, both in the public and private sectors.

Information about the comprative level of development in various districts of the state of Orissa is not readily available.

Socio-Economic Development of Noma-Tribes during Fifth Plan

8894. SHRI GIRIDHAR GOMANGO: Will the Minister of PLANNING be pleased to state:

(a) whether Government are preparing a special scheme for the socio-economic development of the most primitive tribes, nomadic tribes and semi-nomadic tribes of India in the Fifth Plan;

(b) whether any steps have been taken in Fourth Plan period for this purpose; and

(c) if so, the amount of money spent and the areas so far covered under the scheme?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir. The 'Approach to the Fifth Plan 1974-79' document recognises that in the past the benefits of development both in the general sector and especially in the backward classes sector have not percolated to the lower sections of the backward classes with a view to identify the more backward among the backkward classes with a view to taking to them programmes covering economic development and the minimum needs.

(b) A few States such as Orissa and Assam have attempted identification of the more backward tribes and have initiated special programme for their benefit. States having a sizeable population of nomadic and semi-nomadic tribes have taken up programmes for socio-economic development of these communities in the Backward Classes sector. There is a Cetrally Sponsored Programme for the rehabilitation and development of denotified tribes, nomadic and semi-nomadic tribes in the Fourth Plan.

(c) A Statement showing the Fourth Plan outlay and expenditure on denotified tribes (including nomadic and semi-nomadic tribes) under the Centrally sponsored programme is laid on the Table of the House.
Placed in Library.. See No. LT-4939/

(b) The main tribes featured in the completed films are:—

Documentary Films Produced on Tribal Culture

8895. SHRI GIRIDHAR GOMANGO. Will the Minister of INFORMATION AND BROADCASING be pleased to state:

(a) how many documentary films based on Tribal Culture, typical primitive tradition of the different tribes in India, have been produced during the last three years;

(b) the names of the tribes; and

(c) whether his Ministry proposes to produce documentary films on these different tribes in Fifth Five Year Plan also?

THA DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) The Films Division have produced 4 documentary films on Tribal Culture, during the last 3 years. In addition, they have accepted 3 films as donation. 2 documentary films are under production.

(b) The main tribes featured in the completed films are:—

1 Shephered tribe of Himachal Pradesh.

2. Nagas.

(3 Mopas and

4. Daflas

(c) Yes, Sir.

Emphasis on Irrigation, Power, Steel Fertilisers and Non-Ferrous Metals during 1973-74

8896. SHRI MUHAMMED SHERIFF: Will the Minister of PLANNING be pleased to state:

(a) whether emphasis has been laid by Government on irrigation, power steel, fertilisers and non-ferrous metals in the annual plan for 1973-74; and

(b) if so, the outlines of the schemes approved for the purpose?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir.

(b) *Irrigation.*

Under major and medium irrigation, targets envisages for 1973-74 in respect of additional potential and additional utilisation are 1.06 million hectares and .21 million hectares respectively. Emphasis will be on the completion of the continuing schemes as far as possible. In the selection of new schemes, preference will be given to schemes in draught prone areas and backward areas.

Power

The generating capacity is expected to be stepped up from about 17.53 million kw. in 1972-73 to 19.457 million kw in 1973-74. During 1973-74, a higher priority has been accorded to construction of transmission lines.

Under Rural Electrification programme, it is expected that 300,000 umpsets would be energised during 1973-74. Electrification of 13,000 villages is also envisaged during the year. Thus by the end of the Fourth Plan, about 2.4 million pump-sets would be in operation and 1.48 lakh villages would have been electrified in the country.

Steel

Among the major developments envisaged under steel during 1973-74, mention may be made of the expansion of the Bhilai Steel Plant and the acceleration of the tempo of construction work on the 1.7 million tonnes stage of Bokaro Steel Plant. The production target for steel ingots in 1973-74 is placed at 7.8 million tonnes.

Fertilisers . .

Several new projects with an additional capacity of about 8 lakh tonnes of nitrogen are expected to be completed during 1973-74. The targets of production for 1973-74 are estimated at 1.4 million tonnes of nitrogen and 0.4 million tonnes of $P_2 O_5$

Non-ferrous metals

A considerable step-up in production of aluminium and copper is envisaged during 1973-74, the targets for these items being estimated at 210,000 tonnes and 20,000 tonnes respectively.

Visit of High Level Central Team to States for launching programme for providing jobs to educated unemployed

8897. SHRI MUHAMMED SHERIFF: Will the Minister of PLANNING be pleased to state:

(a) whether a high level Central team visited different States of the country to tie up arrangements for the launching of half a million job programme for the educated unemployed; and

(b) if so, the outcome of their visit and the progress achieved in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). A Central Team headed by the Minister of State for Planning has so far visited Kerala, Tamil Nadu, Mysore, Maharashtra, Gujarat, Rajasthan, Uttar Pradesh, Bihar and West Bengal to discuss the proposals formulated by State Governments under the Half a Million Jobs programme for educated unemployed during 1973-74. These schemes have been formulated on the basis of broad guidelines given to the State Governments by the Planning Commission (copy attached). As a result of dis-

cussions, several schemes have been cleared for immediate implementation. Some schemes require to be revised to bring them in conformity with the objectives of the programme. State Governments concerned have been advised to go ahead with the implementation of the approved schemes. The Team expects to complete the visits to the remaining States by the end of May to ensure that all schemes formulated under this programe are cleared by May, end.

Half a Million Jobs Programme (1973-74) for Educated Unemployed
GUIDELINES

1. Employment programmes should be such as could be dovetailed with the existing develoment programmes or with the programme to be taken up in the Fifth Five Year Plan. Schemes should be such as do not need recurring assistance but enable the persons employed to get absorbed in the normal stream of the economy. While providing job opportunities emphasis should be laid on self-generating employment. The schemes should be such as can generate more and more employment and have a multiplier effect. They should be productive and labour intensive.

2. All out efforts should be made so that at least 20 per cent of the educated unemployed are absorbed during the year 1973-74 in each State (as far as possible, District-wise).

3. Engineers and highly qualified technicians who are yet unemployed should be given first priority and all efforts should be made to provide gainful employment opportunities to all such engineers and highly qualified technologists during the year 1973-74.

4. Educated unemployed persons from a family having no source of income should get priority over others.

5. Special attention should be given in providing employment to the graduates from scheduled castes and scheduled tribes and minorities. Similarly, war-widows, unemplyed educated from scavengers' community, disabled educated youngsters and such other deserving cases should get special treatment.

6. Training programmes may be undertaken to improve the employment and absorptive potential of the educated unemployed. Requirements of the Fifth Plan programmes with special reference to the annual Plan for next year may be the basis for such training programmes. While formulating the Training Schemes it may be kept in view that the funds under the Half-a-Million Jobs Programme for Educated Employed will be available to finance only the stipends for the trainees, marginal expenses for training personnel and training equipment. The other expenditure on buildings, vehicles, etc. would have to be met by the State Government from its own resources. Establishment of functional ancilliary industrial estates and special industrial estates like electronics estates or plastic estates may be encouraged However, investments for the creation of such estates should be mobilised from institutional finance or State finance. Margin money contribution from this fund could be considered on merits.

8. Small-scale industries and cottage industries requiring lesser capital but which are production and labour-oriented should be given due importance and adequate protection

9. Consumers' cooperatives, credit cooperatives, service cooperatives, industrial cooperatives etc, belonging to educated unemployed may be sponsored and encouraged by providing margin money or share-capital contribution.

10. For proper implementation of these schemes, a special cell should be created at the State level with a

Minister in charge and one officer of the rank of Secretary. Such cells should also include representatives from banks, Public Finance Institutions, Industries, Corporations etc Similar cells should be created at District level as well. These cells should often meet and monitor the implementation of these schemes.

आशय पत्रों/लाइसेंसों को रद्द करना

8898. **श्री मूलचन्द डागा** : क्या औद्योगिक विकास मंत्री यह बताने की की कृपा करेंगे कि

(क) किन-किन हालतो मे आशय पत्र और लाइसेंस रद्द कर दिए जाते हैं, और

(ख) गत तीन वर्षों मे कितने आशय पत्र और लाइसेंस रद्द किए गए ?

औद्योगिक विकास तथा विज्ञान और औद्योगिक-मंत्री (श्री सी० सुब्रह्मण्यम) । (क) यदि निर्दिष्ट अवधि के भीतर आवेदन-पत्र प्रस्ताव आशयपत्र मे दी गई शर्तों के अनुसार प्रस्तुत नही किया जाता है अथवा यदि आशयपत्र जारी करने की तिथि से एक वर्ष की अवधि के भीतर आवेदक को औद्योगिक लाइसेंस जारी नही किया जाता है या जब तक कि आशय-पत्र की वैधता की अवधि इस बीच एक वर्ष की उक्त अवधि के समाप्त हो जाने से पहले आवेदय द्वारा दिए जाने वाले आवेदन पर सरकार बढा नही देती है तो आशय-पत्र स्वत समाप्त हो जाता है । सरकार औद्योगिक लाइसेंस तब प्रतिसंहृत करती है जब लाइसेंस प्राप्त कर्ता बिना किसी उचित कारण के निर्दिष्ट समय में लाइसेंस को कार्यान्वित करने के लिए प्रभावी कदम उठाने में असफल रहता है । पार्टियां यदि औद्योगिक लाइसेंसो को कार्यान्वित नही कर सकती हैं तो उन्हे लौटा देती है और सरकार इन्हें रद्द कर देती है ।

(ख) रद्द किये गये आशय पत्रो के बारे मे जानकारी उपलब्ध नही है । गत तीन वर्षों मे निम्नलिखित संख्या मे लाइसेस प्रतिसंहृत किये गये/लौटाए गये थे :—

	प्रतिसंहृत लाइसेन्सो की संख्या	लौटाये गये लाइसेन्सो की संख्या	योग
1970	40	20	60
1971	27	8	3
1972	16	15	31

केन्द्रीय सतर्कता आयोग द्वारा पता लगाए गए झूटी शिकायतो के मामले

8899. **श्री मूलचन्द डागा** : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सतर्कता आयोग ने 1969, 1970 और 1971 मे ऐसे कितने मामलो का पता लगाया जिनमे प्रथम जानकारी रिपोर्ट अथवा शिकायते झूटी थी तथा क्या झूटी शिकायते करने वाले व्यक्तियो के विरुद्ध कार्यवाही की गई है, और

(ख) उन व्यक्तियों के नाम क्या हैं जिन्हे झूठी शिकायतें करने के लिए दण्डित किया गया है तथा उनमे से प्रत्येक को क्या दण्ड दिया गया है?

गृह मंत्रालय तथा कार्मिक विभाग में राज्य मंत्री (श्री राम निवास मिर्धा) : (क) और (ख) सूचना एकत्रित की जा रही है और इसे सदन के पटल पर रख दिया जाएगा ।

राज्य सरकारों द्वारा संघ सरकार की नीतियो, उसकी उपलब्धियों और उसके कार्यक्रमो का प्रचार

8900. श्री मूल चन्द डागा : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि —

(क) केन्द्रीय सूचना तथा प्रसारण विभाग और राज्यो के सूचना और प्रसारण विभागो मे सम्बन्धो के विभिन्न पहलू क्या है और राज्य सरकारे भारत सरकार की नीतियो, उसकी उपलब्धियो और उसके कार्यक्रमो को किस प्रकार पचायत स्तर तक पहुचाती है, और

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री वसंतसिंह) : (क) प्रसार सेवा सूची मे है । केन्द्र के तथा राज्य के सूचना विभागो का कार्य क्षेत्र हमारे सघीय ढाचे के अनुरूप भिन्न है । जबकि केन्द्रीय सरकार के माध्यम एकक, अपने कार्यक्रमो मे राष्ट्रीय दृष्टिकोण प्रस्तुत करते है, राज्य के एकक राज्य केदृष्टिकोण पर प्रभाव डालते हैं तथा राज्य सरकार की नीतियो, उपलब्धियो और कार्यक्रमो मे सम्बन्धित होते हैं । तथापि, केन्द्रीय तथा राज्य के सगठन मुख्य राष्ट्रीय उद्देश्यो मे सम्बन्धित मामलो मे एक दूसरे के पूरक हो कर कार्य करने का प्रयास करते है । इस प्रयोजन के लिए, विभिन्न स्तरो पर समन्वय व्यवस्था मौजूद है

(ख) प्रश्न नही उठता

Rectification of defects in Crossbar Exchanges

8901 SHRI YAMUNA PRASAD MANDAL Will the Minister of COMMUNICATIONS be pleased to state

(a) whether certain defects have been found in the designing and manufacture of crossbar exchanges; and

(b) if so, the time by which these will be removed and the amount involved in rectification of defects?

THE MINISTER OF COMMUNICATIONS (SHRI H N BAHUGUNA): (a) Only certain deficiencies in the working of Crossbar exchanges have been noticed.

(b) In respect of all crossbar exchanges for which equipment has been supplied by M/s BTM of Belgium, a programme for rectification of the above deficiencies is on hand, and is expected to be completed by the middle of 1974-75 However, priority action is being taken in respect of 3 crossbar Exchanges in Delhi and this is expected to be completed

before the end of this year. As regards the amount involved in rectification of deficiencies in these crossbar exchanges, M/s. BTM are supplying free of cost all the material required for the rectification work. They have aso agreed in principle to bear the cost of manpower involved in this rectification work. As regards the rectification work involved in the crossbar exchanges, equipment for which has been supplied by M/s. I.T.I. Bangalore, measures to rectify the deficiencies in these exchanges are under consideration and the cost of rectification work as well as time required to complete it are being assessed.

बिहार में स्वचालित टेलीफोन एक्सचेंजों वाले स्थान

8903. **श्री चिरंजीव झा** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) बिहार मे वे स्थान कौन-कौन से है जहा पर स्वचालित टेलीफोन एक्सचेज है ;

(ख) वर्ष 1973-74 मे कितने और कहा कहा पर स्वचालित टेलीफोन एक्सचेजो की स्थापना करने का विचार है, और

(ग) बिहार मे वर्ष 1973-74 मे किन-किन स्थानो को सीधे डायल घुमाकर टेलीफोन करने की प्रणाली द्वारा पटना मे जोडने का विचार है ?

संचार मंत्री (श्री हेमवतीनन्दन बहुगुणा) : (क) बिहार मे जिन जगहों पर आटोमैटिक टेलीफोन एक्सचेंज काम कर रहे हैं उनके नामों की एक सूची विवरण—1 जो कि सभा पटल पर रखा गया है में दी गई है। [ग्रन्थालय में रखा गया देखिये संख्या एल टी 4940'73]।

(ख) बिहार मे वर्ष 1973-74 के दौरान 18 जगहों पर आटोमैटिक टेलीफोन एक्सचेज लगाने का प्रस्ताव है। इन के नामो की एक सूची विव रण. जो कि सभा पटल पर रख गया है में दी गई है। [ग्रान्थालय मे रखा गया। देखिए संख्या एल o टी o 4940। 73]।

(ग) वर्ष 1973-74 के दौरान बिहार मे किसी भी स्थान को पटना के साथ सीधे डायल करने की प्रणाली से जोड़ने का कोई प्रस्ताव नही है ।

लघु उद्योगों से आयातित माल के लिए अधिक मूल्य वसूल करना

8904 **श्री चिरंजीव झा** क्या औद्योगिक विकास मत्री यह बताने की कृपा करेंगे कि

(क) क्या आयात करने वाली सरकारी एजेन्सिया आयातित सामान के लिए बडे उद्योगों की तुलना मे छोटे उद्योगों से अधिक मूल्य लेती है ,

(ख) क्या इन एजेसियों के द्वारा लिया जाने वाला सर्विस चार्ज भी अधिक है, और

(ग) यदि हा, तो सरकार की उस पर क्या प्रतिक्रिया है ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री जियाउर्रहमान अंसारी) : (क) से (ग) : मूल्य संवीक्षी समिति द्वारा बनाई गई मूल्य नीति के अनुसार

लघु उद्योग एककों को उसी कीमत पर अच्छी सामग्री मिलती है जिस कीमत पर बड़े उद्योग एककों को सामग्री मिलती है ।

सामान्यतया सरकारी आयात अभिकरणों के सेवा प्रभार (सर्विस चार्जेज) विभिन्न वर्गों के उपभोक्ताओं के लिए लागत बीमा भाड़ा (सी० आई० एफ०) कीमतों पर 1.5 से 5 प्रतिशत तक नियत किए जाते हैं । कुछ वस्तुओं जैसे सोयाबीन तेल, खोपरा, चर्बी, अथवा स्टेनलेस स्टील जिनमें आयातित तथा देशी कीमतों में भारी अन्तर होता है, राज्य अधिकरणों को प्राधिकृत किया जाता है कि वे बिचौलियों द्वारा अत्यधिक लाभ उठाने को समाप्त करें । कई वस्तुओं में बड़े उद्योग एककों की बनिस्बत लघु उद्योग एककों को सी० आई० एफ० कीमत पर 3 5 प्रतिशत से भी कम सर्विस चार्ज नियत किए गए हैं ।

दिल्ली में औद्योगिक विकास बोर्ड की स्थापना का सुझाव

8905. श्री विरेंद्र शर्मा : क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार ने 4 अप्रैल, 1973 के 'हिन्दुस्तान' में दिल्ली में औद्योगिक विकास बोर्ड की स्थापना का सुझाव, शीर्षक में प्रकाशित समाचार को देखा है; और

(ख) यदि हां, तो इस पर सरकार की क्या प्रतिक्रिया है ?

औद्योगिक विकास मंत्रालय में उपमंत्री (श्री विद्याचरण शुक्ल) : (क) और (ख) : शायद यह प्रसंग औद्योगिक भूमि विकास निगम की स्थापना में दिल्ली प्रशासन द्वारा गठित औद्योगिक पैनल (नामिका) के रिपोर्ट में दी गई सिफारिशों से संबंधित है ।

को दिल्ली प्रशासन को पेश किया जाये

Industries in Public Sector in Gaya and Nowadah (Bihar)

8906. SHRI SUKHDEO PRASAD VERMA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government have under consideration any proposal to set up industries in public sector in the district of Gaya and Nowadah of Bihar during the year 1973-74; and

(b) if so, the outlines of the proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). The information is being collected and will be laid on the Table of the House.

Reopening of Gaya Textile Mills in Bihar

8907 SHRI SUKHDEO PRASAD VERMA. Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the reasons for closing down the Gaya Textile Mills in the State of Bihar; and

(b) whether Government have any scheme to get it reopened in the near future?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) Reasons for closure of the mill in June 1965 by the pri-

vate management were labour trouble, uneconomic working and persistent losses.

(b) The lessees of the mill the management of which has vested in the Central Government by virtue of section 4(1) of the Sick Textile Undertakings (Taking Over of Management) Act, 1972, have obtained interim stay order from the Supreme Court of India according to which *status*-quo is to be maintained. The mill has, therefore, not yet been started by the Custodian apointed under the said Act.

Demand by F.I.C.C.I. for laying guidelines on Nationalisation of Industry

8908. DR. RANEN SEN: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Federation of Indian Chambers of Commerce and Industry has urged the Government to announce clear cut guidelines on nationalisation;

(b) whether the Federation in a resolution adopted at its annual session held recently in New Delhi has stated that a clear cut statement of policy by Government specifying the ground on the basis of which industries would be taken over would restore confidence in industry;

(c) whether the Federation has also demanded that before a nationalisation decision was taken the matter should be referred to an independent body to study whether the step was in overall public interest; and

(d) if so, Government's reaction to these demands?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) to (c). A resolution with the following recommendatins was passed by the Federation of Indian Chambers of Commerce and Industry at its annual session held recently in New Delhi:—

(i) That clear-cut guidelines be formulated and publicly announced regarding the grounds on which and the areas of industry in which take-over and nationalisation may be considered by the Government.

(ii) Before a nationalisation decision is taken by the Government, the matter should be referred to an independent investigating body which will study whether the proposed nationalisation will be in the overall public interest.

(iii) That in all cases of takeover and nationalisation, investors should be assured of fair and equitable compensation.

(d) It has been made clear time and again that the Government's policy is to use nationalisation not for its own sake but whenever it saves the public good.

Liquidation of Dacoits in various States

8909 SHRI BHAGIRATH BHANWAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether some dacoits who had not surrendered last year were trying to raise new gangs in various States;

(b) if so the central assistance proposed to be offered to these States to liquidate the new gangs, and

(c) whether any coordinated plan has been evolved and the extent to which it has been implemented for the reclamation of land and general economic development of the dacoit infested areas?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Information is being collected from the State Governments concerned and will be laid on the Table of the House after it is colected.

(b) The Central Government has no proposal under consideration for any special assistance to liquidate the new gangs.

(c) A committee of Joint Secretaries was constituted to suggest schemes for comprehensive development of dacoit infested area. Reports on ravine reclamation and road development for this area have been received and are being processed in consultation with the State Governments concerned.

Proposal to appoint Messengers to deliver telephone bills at door steps of subscribers

8910. SHRI S. A. MURUGANANTHAM: Will the Minister of COMMUNICATIONS be pleased to state:

(a) whether P. & T. Deptt. proposes to appoint special messengers to deliver telephone bills at door steps of the subscribers in order to avoid misplacement of bills as at present;

(b) whether P. & T. proposes to decentralise the billing procedure at sub-divisional level and thereby obtaining the payment of bills at exchange or sub-divisional office counter as in the case telegraph offices; and

(c) if so, the broad outlines of the proposal?

THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA): (a) No, Sir.

(b) No, Sir.

(c) The question does not arise.

Death of Mrs. Lakhmi Bai Chenbagaraman Pillai, a freedom fighter

3911. SHRI S. A. MURAGANANTHAM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Mrs. Lakshmi Bai Chenbagaraman Pillai, a great freedom fighter died in Bombay, during the 1st week of December for want of money and proper medical aid;

(b) if so, the facts thereof;

(c) whether the house of Mrs. Lakhmi Pillai is under the custody of the Police; and

(d) whether any claim has been made by Chenbagaraman Memorial Centre, Madras and by the relations of Dr. Pillai to the Commissioner of Police and Government?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) to (d). The information is being collected and will be laid on the Table of the House.

Proposal to set up a new undertaking for the Development and Manufacture of computers

8912. SHRI RAM PRAKASH: Will the Minister of ELECTRONICS be pleased to state:

(a) whether Government have any proposal to set up a new undertaking for the development and manufacture of the latest type of computers; and

(b) if so, the total expenditure involved?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT): (a) and (b). Government have approved in May, 1971, a programme of the Electronics Corporation of India Ltd. (Hyderabad), which is a wholly Central Government owned public sector undertaking, for the manufacture of Computers. The Corporation has so far

manufactured 18 computers (TDC-12) and is in the advanced stages of developing more sophisticated systems based on integrated circuits, which will be available from 1974. The expenditure involved in the programme approved by Govrnment so far is Rs. 223.76 lakhs spread over a period of four years (from 1971-72 to 1975-76). Government are also examining the question of how manufacturing programme should be set up for the production of mini-computers and a range of computer sub-systems and components such as Peripherals, Memories, Semi-conductor devices etc. On the basis of progress on the above mentioned aspects, Government will consider the need or otherwise for further separate undertakings for the manufacture of computers and related items.

Loss of D.G.T.D. data tape belonging to Library of Computer Centre R. K. Purem, New Delhi

8913. PROF. MADHU DANDAVATE: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether a D.G.T.D. data tape belonging to the Library of Computer Centre at R. K. Puram, New Delhi has been missing from the Library;

(b) whether this data tape covered/related to several lakhs of cards and about Rs. 1,50,000 was spent for it;

(c) whether Government made any attempts to recover the same, and

(d) if so, the nature thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE): (a) No DGTD data tape was missing from the library of the Computer Centre, R. K. Puram, New Delhi. However, one of the tapes, being used for DGTD data system by the Indian Institute of Management, Calcutta, was accidentally erased.

(b) to (d). Since the source document are available, the Indian Institute of Management has been advised to reconstruct the tape.

Designing of Computer-based information System by Indian Industries of Management, Calcutta

8914. PROF. MADHU DANDAVATE: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Indian Institute of Management, Calcutta was entrusted to design a computer-based information system for the D.G.T.D.;

(b) whether the Indian Institute of Management has completed the contract; and

(c) wheher the Indian Institute of Management, Calcutta has been paid a sum far exceeding the original contract; and if so, the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) Yes, Sir. The Indian Institute of Management, Calcutta was entrusted with the task of designing and implementation of a computer based information system for the Directorate General of Technical Development.

(b) No, Sir.

(c) The Indian Institute of Management, Calcutta has been paid a sum of Rs. 5 lakhs as per terms of the contract. Besides an *ad hoc* payment of Rs. 1,80,000 was made to them for the additional work done by them.

Avenues of promotion and rules for transfer of staff artistes of A.I.R. and Song and Drama Division

8915. PROF. MADHU DANDAVATE: Will the Minister of INFOR-

MATION AND BROADCASTING be pleased to state:

(a) whether there are any avenues of promotions and set rules for transfers for the staff artistes of A.I.R. and Song and Drama Division;

(b) if so, what; and

(c) the number of artistes and employees of Song and Drama Division promoted during the year 1972?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b). The staff artistes of A.I.R and Song and Drama Division are members of separate cadres and therefore their work and performance are not comparable Staff artistes of A.I.R. have regular procedures for appointment, promotion and transfer.

(c) The question of promotion, as such, does not arise in the case of staff artistes. However, during 1972 two artistes who were performers in border publicity parties on a consolidated fee of Rs. 150 P M were selected for the posts of dancer and actress respectively on the fee scale of Rs. 215-440 P.M. The number of Government servants who were promoted during the year 1972 is two

Schemes for providing jobs to uneducated Scheduled Castes and Scheduled Tribes

8917. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of PLANNING be pleased to state:

(a) whether any special schemes for providing jobs to unemployed Scheduled Castes and Scheduled Tribes have been formulated by the Centre or the State Governments; and

(b) if so, the outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). The various programmes included in the Plans of the Central Ministries and State Governments are expected to benefit all sections of the population including Scheduled Castes and Scheduled Tribes. The special programmes taken up during the Fourth Plan such as Small Farmers Development Agency, Marginal Farmers and Agricultural Labourers and the Crash Scheme for Rural Employment provide substantial benefits to Scheduled Castes and Scheduled Tribes. A number of schemes included under the Special Employment Programmes implemented by various State Governments also benefit the Scheduled Castes and Scheduled Tribes Under the Half a Million Jobs Programme for educated jobseekers, the Planning Commission has advised the State Governments to give priority to the employment of candidates from Scheduled Castes and Scheduled Tribes. The State Governments are being pursued to ensure that all graduates among Scheduled Castes, Scheduled Tribes and nomadic Tribes and educated persons from among the Scavenging community are absorbed in gainful employment in 1973-74. The guidelines also provide for special consideration to educated persons coming from families who have no source of income. This will also benefit to a large extent Scheduled Castes and Scheduled Tribes candidates.

In the Fifth Plan, the strategy of development of backward classes places greater emphasis on the role of the general sector in providing major developmental programmes. The Public consumption programmes, specially in regard to minimum needs, will involve eligibility conditions which will give high priority to scheduled castes, scheduled tribes and nomadic tribes. Programmes of the general sector which include agriculture, land reforms, village and small-scale industries, training programmes for employment in semi-

skilled professions and communications will accord high priority to development of backward classes, Educatnon economic development and social legislation programmes will be directed towards improvement in the quality of life of these communities, enabling them over a period of time to reach reasonable levels of development. In addition, special programmes to encourage talented students from among the backward communities and coaching schemes to help them to increase their competitive ability would be undertaken; from middle school onwards efforts will be directed towards career planning and guidance with a view to promote gainful employment.

Pact between India and U.S.S.R. on space

8913. SHRIMATI BHARGAVI THANKAPPAN:
SHRI M. KATHAMUTHU:

Will the Minister of SPACE be pleased to state:

(a) whether India and U.S.S.R. have signed a pact on space project; and

(b) if so, the outlines thereof?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) and (b). The Indian Space Research Organisation has signed an agreement in May, 1972 with the Academy of Sciences of USSR, under which a satellite wholly designed and fabricated in India will be launched with the aid of a Soviet rocket carrier from a Soviet Cosmodrome during the year 1974.

Closure of small scale industries in West Bengal

8919. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government are aware of a report published in the *Economic Times* Bombay dated the 17th March, 1973, under the caption "Mass closure of Bengal small units"; and

(b) if so, the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) and (b). The concerned authorities are seized of the special industrial situation of West Bengal and constant endeavours are being made to meet the situation.

Closure of electric bulb manufacturing factories in West Bengal

8920. SHRI JYOTIRMOY BOSU: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) the number of small electric bulb manufacturing factories in West Bengal;

(b) the number of people employed in these factories;

(c) whether these factories are being closed down due to acute shortage of raw materials; and

(d) if so, the measures being taken by the Centre to hold these small concerns?

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI): (a) About 150 approximately.

(b) It is reported that about 32,000 people are employed in this industry in West Bengal.

(c) Shortage of raw materials is one of the reasons for closure of some units.

(d) The problems faced by these units are being looked into.

National Advisory Panel on Working of Mass Communication Media

8921. SHRI SARJOO PANDEY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government intend to set up a national panel to advise them on problems connected with the working of mass communication media in the country; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) A proposal is under consideration to set up a National Council for Mass Communication.

(b) Details of the Council are being worked out.

Shortfall in Plan Expenditure during the current year

8922. SHRI HARI KISHORE SINGH: Will the Minister of PLANNING be pleased to state:

(a) the reasons for likely shortfall of nearly Rs. 100 crores in current year's plan expenditure, and

(b) the step taken by Government to rectify the situations?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) It is too early to say whether there has been a shortfall in the Plan expenditure of the current year.

(b) Does not arise.

Quarters for Radio and T.V. Staff in Cities

8924. SHRI LALJI BHAI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have some plans to construct quarters for the employees of Radio and Television Centres in big cities; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b). Staff quarters already exist at some of the stations of All India Radio. At 36 more centres staff quarters will be constructed under the Fourth Plan. Construction of Staff Quarters at the remaining centres will be undertaken under the Fifth and subsequent Plans depending on availability of funds.

Return of various awards made by President

8925. SHRI LALJI BHAI: Will the Minister of HOME AFFAIRS be pleased to state the names of the persons who returned the various awards made by President of India during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): There are several type of Presidential awards and these are dealt with in different Ministries. In so far as the awards dealt with in the Ministry of Home Affairs are concerned, no one who was given any such award during the last three years has returned it.

Posts lying vacant in various Departments of Government of India

8926. SHRI LALJI BHAI: Will the PRIME MINISTER be pleased to state;

(a) whether a number of posts in various departments of Government of India are lying vacant for long period even after selection of candidates from U.P.S.C.; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) and (b). Sometimes there is delay in the appointment of selected candidates because after selection is made by the Union Public Service Commission and list of approved candidates is sent to the Ministry/Department/Office concerned, certain formalities such as verification of character and antecedents and medical examination etc. have to be gone through before the selected candidate is appointed. The completion of these formalities necessarily involve some time which results in a time-lag between the selection of the candidate and his actual appointment to the vacant post.

Schemes formulated by the Planning Cell for the Development of Hill Areas during Fifth Plan

8927. PROF. NARAIN CHAND PARASHAR: Will the Minister of PLANNING be pleased to state:

(a) whether any concrete schemes have been drawn up by the Planning Commission Cell for the development of hill areas for the consideration of the Government and the Planning Commission and for inclusion in the Fifth Five Year Plan;

(b) if so, the main outline of these schemes; and

(c) the resume of the work done by this Cell in the year 1972-73?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). The responsibility of formulating detailed programmes of development for the hill areas rests essentially with the concerned State Governments. The role of the Hill Areas Cell is to study the problem of the hill areas, assist the States in the formulation of schemes for such areas and organise interaction between the Central and State Governments on questions of land capability, resource endowment, marketing and processing activities and the concomitant infra-structural facilities;

(c) A resume of the work done by the Hill Areas Cell during 1972-73 is contained in the attached statement.

Statement

(1) The Hill Areas Cell provided technical and secretarial service to the Committee of Direction for the Development of U.P. Hill Areas. It included the preparation of survey designs and questionnaires and technical papers on different aspects of hill development. In addition, the hill areas Cell also liaised with the concerned Ministries on the question of taking up special programmes including rural engineering surveys in the hill areas of U.P.

(2) The Hill Areas Cell sent out teams to selected hill districts of U.P. for discussions on the review and appraisal of on-going programmes and the formulation of district plans.

(3) Preliminary discussions on the work of Plan preparation for Jammu and Kashmir were held by the Hill Areas Cell with the State representative.

(4) The Hill Areas Cell made a general review of the information base which existed in the States of North Eastern Region with a view to identifying its adequacy or otherwise for the preparation of a strategy of plan development for the North Eastern Region.

Provision of infra-structure for the rapid industrialisation of backward areas

8928. PROF. NARAIN CHAND PARASHAR: Will the Minister of PLANNING be pleased to state:

(a) whether Planning Commission or the Union Government have taken note of the repeated plea by Members of Parliament for the provision of infra-structure in the form of provision of railway lines, electricity and transport for the rapid industrialisation of the industrially backward areas;

(b) if so, whether Government or the Planning Commission have set up any Committee to examine the provision of this infra-structure to the various backward regions in the country and make recommendations to the Ministries concerned for the provision of these items in their next proposals; and

(c) if not, whether proposal to set up any such committee is under consideration?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) Yes, Sir.

(b) and (c). The Planning Commission has set up a Task Force on Promotion of Industries in selected Backward Districts for the Fifth Plan. The speedier development of industries in the selected backward districts is also under examination of a Study Group set up by the Ministry of Industrial Development.

Planning Boards at District Level

8929. PROF. NARAIN CHAND PARASHAR: Will the Minister of PLANNING be pleased to state:

(a) whether Government have formulated any concrete proposals for the setting up of Planning Boards at the District level; and

(b) if so, the broad outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI MOHAN DHARIA): (a) and (b). Because of the considerable variety of the existing institutional and administrative structure at the district level in different states, the Planning Commission has not formulated any concrete proposals for setting up of Planning Boards at the district level. The present scheme for which the Planning Commission has offered financial assistance envisages only the strengthening and reorganisation of the Planning machinery at the State level into functional units. One of the proposed functional unit is expected to deal with the problems of the formulation and integration of district plans within the framework of the State plans.

A.I.R. programmes for children below 10 years of age

8930. PROF. NARAIN CHAND PARASHAR: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there are any programmes under the All India Radio for children below the age of 10;

(b) if so, the names of the programmes and the duration of time allotted to such programmes; and

(c) whether the facilities to participate in such programmes are provided to children of all States?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) Yes, Sir.

(b) The names of programmes vary from Station to Station; the duration ranges from 15 minutes to 60 minutes per programme.

(c) Yes, Sir.

Nuclear Energy Complex in Western Uttar Pradesh

8932. DR. H. P. SHARMA: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether a team of scientists and engineers of the Bhabha Atomic Research Centre which undertook a study two years ago about the feasibility of having a Nuclear Energy Complex in Uttar Pradesh has suggested the setting up of such a complex in the fuel starved Western Uttar Pradesh;

(b) if so, the broad features of the contemplated complex and its estimated cost; and

(c) Government's decision thereon?

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) to (c). A working group appointed by the Atomic Energy Commission to evaluate the concept of nuclear-powered agro-industrial complexes has submitted its report. Among the projects studied by the working group is one relating to the establishment of such a complex in the Gangetic plain. Further detailed studies on these projects are in progress. A decision regarding the setting up of the projects will be taken by Government after the studies are completed.

Seminar on Industrial Growth through Self-Reliance

8933. DR. H. P. SHARMA: Will the Minister/of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether a seminar on Industrial Growth through self-reliance was inaugurated by him on the April 6, 1973, at New Delhi;

(b) whether it was indicated therein that Government were considering introduction of an element of compulsion on those who want to import technology to undertake an obligation to either set up research development facilities themselves or link themselves with any existing R & D institution to absorb and improve upon the technology so imported, if so, the decision taken by Government in the matter; and

(c) what other proposals were mooted at the seminar and Government's reaction thereto?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) and (b). While inaugurating a seminar on Industrial Growth on the 6th April, 1973, it was stated that importers of technology should set up necessary R & D establishments themselves, or link themselves with an existing R & D establishment in the field, to eliminate any need for the repetitive import of the same technology and to build up indigenous capability as quickly as possible.

A condition is being imposed while approving foreign collaboration agreements, that within the duration of the agreement, the Indian Company should develop and set up their own design and research facilities so that continued dependence upon the foreign collaborator beyond the period of collaboration will not be necessary.

(c) Some of the proposals made at the Seminar were:—

(i) need for evolving an appropriate mix of foreign and indigenous technology (ii) creation of data banks and technological documentation, (iii) a full exploitation of scientific and technical man power, (iv) strengthening of design capability in R & D set ups. (v) attaching strong engg. divisions to research organisations, (vi) strengthening of consultancy orgns. and (vii) standardisation of costs, designs and specifications. Government have noted these proposals.

संयुक्त क्षेत्र में उद्योगों की स्थापना

8934. **श्री नरेन्द्र सिंह बिष्ट :** क्या औद्योगिक विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) संयुक्त क्षेत्र मे कितने उपक्रम स्थापित करने का विचार है ; और

(ख) परियोजनाओ की स्थापना के लिए अब तक किन किन पार्टियो को किन किन परियोजनाओ के लिए कितने आशयपत्र और लाइसेंस जारी किए गये हैं और ये प्रयोजनाये कब तक स्थापित होने की सभावना है और इनमे उत्पादन कब तक आरम्भ हो जायेगा ?

औद्योगिक विकास तथा विज्ञान और औद्योगिकी मंत्री (श्री सी० सुब्रह्मण्यम) : (क) और (ख) राज्य औद्योगिक विकास निगमो द्वारा दी गई जानकारी के आधार पर तैयार किया गया एक विवरण जिसमे सम्बद्ध राज्य के औद्योगिक विकास निगम द्वारा सयक्त क्षेत्र मे स्थापित की जाने वाली परियोजनाओ की एक सूची भी दी गई है सभा पटल पर रखा जाता है । [ग्रन्थालय मे रखा गया । दखिए सख्या एल टी 4941/73]

मै० सेन्चुरी पल्प कलकत्ता तथा मै० बागुर ब्रादर्स, कलकत्ता को भी सयक्त क्षेत्र मे कागज का सयत्र लगाने के लिए आशय-पत्र जारी किए गए है ।

ये परियोजनाये कार्यान्वयन की विभिन्न स्थिति मे है ।

चतुर्थ श्रेणी के कर्मचारियों की क्लर्कों के रूप में पदोन्नति

8935. **श्री नरेन्द्र सिंह बिष्ट :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या चतुर्थ श्रेणी के कर्मचारियो को क्लर्क के रूप मे पदोन्नति देने के लिए सरकार ने जिस प्रतियोगी परीक्षा की व्यवस्था की है उसके लिए अधिकतम आयु सीमा 45 वर्ष निर्धारित की गई है ,

(ख) यदि हा, तो चतुर्थ श्रेणी के उन कर्मचारियो की पदोन्नति के लिए जिनकी आयु 45 वर्ष से अधिक हो गई है, सरकार की क्या योजना है ,

(ग) क्या उन्हे बिना परीक्षा के पदोन्नति दी जायगी, और

(घ) यदि नही, तो क्या सरकार का विचार उक्त परीक्षा के लिए चौथी श्रेणी के उन कर्मचारियो को आयु सीमा मे ढील देने का है जिनकी आयु 45 वर्ष से अधिक है ?

गृह मत्रालय तथा कार्मिक विभाग में राज्य मत्री (श्री राम निवास मिर्धा) : (क) जी हा श्रीमान् । तथापि अनुसूचित जाति तथा अनुसूचित जन जाति के उम्मीदवारो के मामले मे 5 वर्ष की छूट दी जा सकती है ।

(ख) और (ग) चूकि चतुर्थ श्रेणी के कर्मचारियो के कार्यों की प्रकृति तृतीय श्रेणी के कर्मचारियो के कार्यों की प्रकृति से भिन्न है अत इस प्रकार से पदोन्नति देना व्यवहार्य नही पाया गया । तथापि, निम्न श्रेणी क्लर्कों के ग्रेड मे रिक्तियो के 10 प्रतिशत स्थान चतुर्थ श्रेणी के शैक्षिक दृष्टि से अर्हता प्राप्त ऐसे कर्मचारियो (अर्थात् जो मैट्रिकुलेशन या उसके समकक्ष योग्यता रखते हो) के लिए आरक्षित रख जाने की व्यवस्था है, जिन्होने पाच वर्ष की सेवा पूरी कर ली हो और विभागीय परीक्षा के समय जिनकी उम्र 45 वर्ष (अनसूचित जातियो तथा अनसूचित जन

जातियों के लिए 50 वर्ष) से कम है। इस प्रकार, चूंकि चतुर्थ श्रेणी कर्मचारियों की पदोन्नति के लिए कोई योजना नहीं है, इसलिए जिन्होने बिना किसी परीक्षा दिए हुए 45 वर्ष की आयु को पार कर लिया हो, उन कर्मचारियो की पदोन्नति का प्रश्न ही नही उठता।

(घ) जी नही, श्रीमान्।

उत्तर प्रदेश के पर्वतीय जिलो में संचार व्यवस्था

8936. **श्री नरेन्द्र सिंह बिष्ट :** क्या संचार मंत्री यह बताने की कृपा करेंगे कि उत्तर प्रदेश के पर्वतीय जिलो मे सचार व्यवस्था को सुधारने के लिए क्या उपाय किये गये है अथवा करने का विचार है ?

संचार मंत्री (श्री हेमवतीनन्दन बहुगुणा): (क) **तार एवं टेलीफोन सुविधाएं** पहाडी इलाको मे घाटा उठा कर लम्बी दूरी के पब्लिक काल आफिस, और तारघर खोलने की नीति को उदार बना दिया गया है। यह उदार नीति देश के दूसरे पहाडी इलाका की तरह उत्तर प्रदेश के पहाडी इलाका पर भी लागू होती है। इस समय उत्तर प्रदेश के पहाडी जिलों मे 90 पब्लिक काल आफिस, 156 तारघर और 30 टेलीफोन एक्सचेंज काम कर रहे है। इनके अलावा, इन इलाकों के लिए 34 पब्लिक काल आफिस, 51 तारघर और 1 टेलीफोन एक्सचेंज खोलने की मजूरी दे दी गई है। ये कार्यालय उत्तरोत्तर खोल दिए जाएंगे।

(ख) **डाक-सुविधायें** : इस समय उत्तर प्रदेश के पहाड़ी जिलो मे 1596 डाकघर है। वर्ष 1973–74 के दौरान इन जिलों मे 69 और डाकघर खोलने का प्रस्ताव है। इन अतिरिक्त डाकघरो के खुल जाने पर इन इलाको की डाक डिलिवरी सेवाओं और लेटर बक्सो मे पत्रो की निकासी के काम मे सुधार होगा।

'Spotlight Feature of News Services Division of A I.R.

8937. SHRI VASANT SATHE Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) in view of the importance and growing popularity of 'spotlight' on current topics feature of the News Services Division of A I R whether Government propose to introduce the feature on regular basis on Station catering to the listeners in regional languages, and

(b) if so broad outlines of the proposal?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASING (SHRI DHARAM BIR SINHA) (a) and (b) The spotlight programme covers a topic each day of dominant news interest from a national viewpoint The programme is relayed from the three metropolitan cities and 9 other stations It has also a Hindi counterpart in "Samayiki" which is broadcast by Delhi Station.

There is no proposal at present to introduce regular topical commentaries in regional languages.

Revision of Rate of Hostel Grants to Scheduled Caste and Scheduled Tribe Students

8938. SHRI GADADHAR SAHA Will the Minister of HOME AFFAIRS be pleased to state.

(a) whether the recommendation made by the Committee on the Welfare of Scheduled Castes and Scheduled Tribes in their Third Report (Fifth Lok Sabha) regarding need for upward revision of rate of hostel grants to Scheduled Caste and Scheduled Tribe students has been implemented by the Central Government and the State Governments particularly by the West Bengal Government,

(b) if so, the decision taken in this regard State-wise, and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN) (a) to (c) The recommendation made by the Committee on the Welfare of Scheduled Castes and Scheduled Tribes was forwarded to all the State Governments and Union Territory Administrations Replies so far received from some of the State Governments are given in the Statement attached

In so far as the Central Government is concerned the matter regarding increasing the rates of Post-matric Scholarships is under active consideration of the Government It may however, be stated that the rates of maintenance charges admissible under the Post-Matric Scholarship Scheme have been increased for meritorious students i.e., those who have secured at least 60 per cent marks in their last final examination

Statement

Statement showing the action taken by the State Governments on the recommendation of the Committee on the Welfare of Scheduled Castes and Tribes regarding revision of Hostel grants to Scheduled Caste and Scheduled Tribe students, considering the rise in the cost of living.

West Bengal

Agreed in principle Infact an upward revision in regard to grant for construction/extension of hostels as also for boarding charges has already been effected So far as boarding charges are concerned it can safely be said that the existing rate is not quite adequate to meet the rising cost of living Further revision is not possible at the moment for want of funds

Gujarat

The rates of hostel grants have been revised from Rs 30 to Rs 33 per month per inmate from 1st November, 1971

Tamil Nadu

The rates of food charges to the boarders in the government hostels have been enhanced by Rs 5 per mensem per boarder with effect from 1971-72

Mysore

A scheme for construction of hostel buildings at Taluk headquarters and at other rural places is being implemented by the State Government Under the scheme the Taluk Development Boards are called upon to provide free sites in addition to meeting the cost of construction of such buildings over and above the Government grant of Rs 50 000 and Rs 37,500 for construction of hostel buildings at Taluk headquarters and at other rural places respectively The response from the Taluk Development Boards has been quite encouraging Hence, any revision in the rate of grants does not arise at present

Orissa

Due to abnormal rise in the prices of the consumers' goods, the State

Government have been pleased to enhance the existing rates of boarding charges in special hostels stipends, scholarships and Post-matric scholarships at a flat rate of Rs. 10 per students per month from 1st November, 1972.

Haryana

The State Government grants additional Hostel allowances at the rate of Rs. 15 to Scheduled Castes students living in the Hostels out of their own funds over and above the maintenance charges of Rs. 13 to Rs. 15 per month admissible under the Post-Matric Scholarship Scheme.

Kerala

Actual boarding and lodging charges are given to Scheduled Caste and Scheduled Tribe students (for Post-matric studies) staying in the College Hostel and recognised hostels Hence the question of enhancement of boarding grants does not arise

Boarding charges payable to the students admitted to the Cosmopolitan Hostels have been enhanced from Rs. 65 to Rs. 75 p.m per student. The boarding grants payable to the boarders of Welfare Hostel (for Pre-matric studies) is Rs. 45 p.m. per student There is no proposal for the enhancement of boarding grant to the students staying in the above hostel at present.

Rajasthan

The rates of the aided hostels have already been enhanced to Rs. 55 per student per month for 5th to 8th classes and Rs. 60 per month per student for 9th to 11th classes with effect from 1st July, 1971, from Rs 40 and Rs. 45 respectively, which amounts to 90 per cent the total expenditure incurred by the Voluntary Organisations

Revocation of Licence issued to M/s. J. Stone and Company (India) Limited.

8939. SHRI SAMAR GUHA: Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether Government propose to revoke the licence issued to M/s. J. Stone and Company (India) Limited for opening a new unit at Thana Complex (Maharashtra) in view of the resentment expressed by Government of West Bengal and by the Public and original refusal from Maharashtra Government for its setting up in the area; and

(b) if reply to part (a) is in the negative, the reasons therefor?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY (SHRI C. SUBRAMANIAM): (a) No, Sir.

(b) The licence was issued to M/s. J. Stone and Co Ltd., for manufacturing navigational aids in Maharashtra after examining the proposal on merits. Hence the fact that this activity will be undertaken in Maharashtra would not constitute grounds for revocation.

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12 hrs.

RE. QUESTION OF PRIVILEGE

SHRI K. P. UNNIKRISHNAN (Badagara): Sir, I have given notice under rule 222, of a privilege motion against Shri Madhu Limaye and five others of the *Indian Express* group, I have seen you and you kindly permitted to raise the matter in the House.

MR. SPEAKER: You have given notice and sent a copy of the notice to Shri Madhu Limaye. Shri Madhu Limaye just sent me—(*Interruptions*) —he said that I should persuade you to withdraw it and he wanted me to ask you whether you will be prepared to withdraw it or not.

SHRI K. P. UNNIKRISHNAN: We are not prepared to withdraw it.

MR. SPEAKER: If he says that it may be postponed till tomorrow and then he will be sending his reply....

SHRI K. P. UNNIKRISHNAN: He has said something. He is present in the House, and let him say whether it is correct or not. There is no question of any detailed reply.

MR. SPEAKER: It was a holiday yesterday. It came late today. Let the reply come from him.

SHRI K. P. UNNIKRISHNAN: He is present here. We do not withdraw it. Let him say whether it is correst or not.

MR. SPEAKER: We take it up tomorrow.

श्री महेन्द्र सिंह गिल (फ़िरोजपुर) : बम्बई मे, मै वहा था और वहा लिमये जी ने कहा है। यह आज ही होना चाहिये।

श्री मधु लिमये (बाका) : अध्यक्ष जी, मैं कुछ कहूं ?

अध्यक्ष महोदय : अगर आप कहना चाहते है तो कहिए।

श्री मधु लिमये : मैने कहा था अगर वापस नही लेना चाहते तो मेरा जवाब कल मिलेगा। आज ही मैने सरसरी तौर पर देखा है, पढ़ा नही है। जवाब कल मिल जायेगा।

SHRI K. P. UNNIKRISHNAN: There is no use postponing it. Let him say whether it is correct or not.

MR. SPEAKER: The Member has requested that if you are not accepting his request to withdraw it he will give a reply tomorrow. We will take it up tomorrow.

श्री मधु लिमये : ठीक है, कल जवाब मिल जायेगा, और केवल इतना ही नही कहुंगा बल्कि सारी बाते कहुंगा।

SHRI K. P. UNNIKRISHNAN: The Member is present here. It is a straightforward question whether he has uttered it or not. He says he will go into it and give a detailed reply. The question is whether he has uttered those words on the Chowpatti beach or not; whether it has been factually reported by the *Indian Express* Bombay edition.

MR. SPEAKER: It is a simple question to Mr. Madhu Limaye; (*Interruptions*). May I request you to please sit down? Now, the question is whether he made that statement. It is a question of fact.

श्री मधु लिमये : अध्यक्ष महोदय, मझे इंडियन एक्सप्रैस की रिपोर्ट को देखना पडेगा, इस के पत्र को मुझे पढ़ना पडेगा। अध्यक्ष महोदय, आज ही मै लखनऊ मे आया, हू यहा आते समय मैंने आपका पत्र देखा, और उस का जवाब आपको कल मिल जायेगा। क्या आप 24 घण्टे का समय भी नहीं दे सकते ?

अध्यक्ष महोदय : ठीक है, कल आ जायेगा।

12.05 hrs.

PAPERS LAID ON THE TABLE

AIS (CONDUCT) RULES, 1973 AND ANNUAL REPORT OF CENTRAL VIGILANCE COMMISSION FOR 1971-72

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA). I beg to lay on the Table

(1) A copy of the All India Services (Conduct) Amendment Rules, 1973 (Hindi and English versions) published in Notification No G S R 405 in Gazette of India dated the 21st April, 1973, under sub-section (2) of section 3 of the All India Services Act 1951 [*Placed in Library See* No LT-4928/73]

(2) (i) A copy of the Annual Report (Hindi and English versions) of the Central Vigilance Commission for the year 1971-72

(ii) Memorandum (Hindi and English versions) explaining the reasons for non-acceptance by Government of the Commission's advice in certain cases mentioned in the above Report

[*Placed in Library. See* No LT-4929/73]

Civil Defence (Amendment) Regulations, 1973

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN) I beg to lay on the Table a copy of the Civil Defence (Amendment) Regulations, 1973 (Hindi and English versions) published in Notification No G S R 382 in *Gazette of India* dated the 14th April 1973 under section 20 of the Civil Defence Act 1968 [*Placed in Library See* No LT-4930/73]

REVIEW AND ANNUAL REPORT OF INSTRUMENTATION LTD, KOTA FOR 1971-72

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI PRANAB KUMAR MUKHERJEE) I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 —

(i) Review by the Government on the working of the Instrumentation Limited, Kota, for the year 1971-72.

(ii) Annual Report of the Instrumentation Limited, Kota for the year 1971-72 along with the Audited Accounts and the Comments of the Comptroller and Auditor General thereon

[*Placed in Library. See* No LT-4931/73]

PATENTS RULES, 1972

THE DEPUTY MINISTER IN THE MINISTRY OF INDUSTRIAL DEVELOPMENT (SHRI ZIAUR RAHMAN ANSARI) I beg to lay on the Table—

(i) A copy of the Patents Rules, 1972 (Hindi and English versions) published in Notification No S O 301(E) in Gazette of India dated the 20th April, 1972, under section 160 of the Patents Act, 1970

(ii) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification

[*Placed in Library. See* No LT-4932/73]

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

SIXTEENTH, SEVENTEENTH AND EIGHTEENTH REPORTS

SHRI BUTA SINGH (Rupar) I beg to present the following Reports of the Committee on the Welfare of

Scheduled Castes and Scheduled Tribes:—

(1) Sixteenth Report regarding action taken by Government on the recommendations contained in their Seventh Report on the Ministry of Defence (Department of Defence Productions)—Reservations for Scheduled Castes and Scheduled Tribes in Defence Public Sector Undertakings.

(2) Seventeenth Report regarding action taken by Government on the recommendations contained in their Eighth Report on the Ministry of Communications (Posts and Telegraphs Department) — Reservations for and Employment of Scheduled Castes and Scheduled Tribes in the Posts and Telegraphs Department.

(3) Eighteenth Report regarding action taken by Government on the recommendations contained in their Ninth Report on the Ministry of Finance (Department of Banking)—Reservations for, and Employment of Scheduled Castes and Scheduled Tribes in the State Bank of India and its subsidiaries.

CENTRAL EXCISES AND SALT (AMENDMENT) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K R GANESH): I beg to move for leave to introduce a Bill further to amend the Central Excises and Salt Act, 1944

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Central Excises and Salt Act, 1944."

The motion was adopted.

SHRI K. R. GANESH: Sir, I introduce the Bill.

12.08 hrs.

MATTERS UNDER RULE 377

(1) Reported Looting of jewels from Air India Cargo Terminal at Kennedy Airport ,New York

श्री शंकर दयाल सिंग (चतरा) माननीय अध्यक्ष जी, मैं सरकार का ध्यान कल जो कैनडी एयरपोर्ट न्यूयार्क मे घटना घटी और एयर इंडिया के गोदाम मे तकरीबन 5 लाख डालर के हीरे जवाहरात चोरी किये गये और जिस ढग से लुटेरो ने उन को लूटा, उस की ओर सरकार का ध्यान आकृष्ट करते हुए चाहूगा कि सरकार इस पर वक्तव्य दे ।

मान्यवर इसमे एयर इंडिया की जहा साख दाव होती है वहा नुकसान भी हुआ है । इस लिए गम्भीरता से इस मामले को लेना चाहिये और अमरीका सरकार से यह कहना चाहिये कि उसको इसका हरजाना देना है । मै इस सम्बन्ध मे सरकार से कहना चाहूंगा कि सरकार इस पर एक वक्तव्य दे जिससे ससद सदस्यों को पूरी जानकारी हो ।

(ii) Non-availability of foodgrains and Cement in Gujarat

SHRI K. S. CHAVDA (Patan): I thank you very much for allowing me to raise two important matters under rule 377, regarding the State of Gujarat. One is regarding the non-

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†Introduced with the recommendation of the President.

[Shri K. S. Chavda]

availability of foodgrains in Gujarat. The Gujarat Government gives at present only one Kg. of grain per adult per month. Four starvation deaths have taken place in Surendernagar district, police opened fire on food rioters as a result of which one person died on the spot and some persons were injured. Therefore I request the Government to release at least 1.5 lakhs of tonnes of foodgrams per month to the State of Gujarat.

My second point is about the acute shortage of cement. According to today's Hindustan Times the Associated Cement Factory at Sevalia has been closed down from Saturday last due to shortage of coal supply; as a result of which there has been acute shortage of cement in the State of Gujarat. I am experiencing myself some difficulty; my hostel for Scheduled Castes is under construction in Dhmoj and no cement is available for the last three months.

Therefore Government, Government should make a statement regarding this and give some more cement to the State of Gujarat.

MR. SPEAKER. Now Shri R S. Pandey may resume his speech on the Finance Bill.

PROF. MADHU DANDAVATE (Rajapur). Before that, I have a submission to make here I had written a letter to you this morning pointing out to you that though we are going to have a special discussion under Rule 193 on the supersession of the judges, the Prime Minister had chosen to make a policy statement on the supersession of the judges outside this House, from the May Day platform.

MR. SPEAKER: I have not allowed this. This is not a question of policy. She has got every right to speak outside. Don't be sensitive about this. You may also go on saying anything outside.

PROF. MADHU DANDAVATE: Sir, though this is not a breach of privilege, this is a breach of convention and propriety.

MR. SPEAKER: There is no question of propriety about it. Shri Pandey.

12.12 hrs.

Finance Bill, 1973—Contd.

श्री राम सहाय पांडे (राजनंदगांव) अध्यक्ष महोदय, परसों आपने जब मुझे वित्त विधेयक पर बोलने की आज्ञा दी थी तब मैं आप के माध्यम से निवेदन करना चाहता था कि इस अभाव के वर्ष में अपने अतीत के अनुभवों के आधार पर अपनी योजनाओं में सुधार करने की आवश्यकता है। हमने देश को आश्वासन दिया है हमें कि हम उस की विपन्नता को दूर करने का अथ प्रयत्न करेंगे अपने साधनों द्वारा और अपनी श्रम शक्ति के द्वारा जहां श्रम शक्ति है वहां योगों द्वारा हम देश को समृद्धि की ओर उन्मुख बढ़ायेंगे। हम अभाव के इस वर्ष को निराशा का रूप नहीं देना चाहते है, परन्तु अकाल और सूखे की स्थिति में योजना के निर्माण में लगे हुए जो लोग है उन्हें सचेत करने का प्रयास करेंगे।

बिजली के अभाव में भी जहां औद्योगिक क्षेत्र में उत्पादन पर आघात पहुंचा है, प्रहार हुआ है, वहीं खेती के क्षेत्र को भी उस ने प्रभावित किया है। अगर मेरे आंकड़े ठीक हैं तो उत्पादन के क्षेत्र में बिजली की कमी के कारण लगभग 900 करोड़ रुपये की उत्पादन की क्षति हुई है और उस 900 करोड़ रुपये की क्षति का प्रभाव अगले वर्षों में भी पड़ेगा।

मैंने आपसे कहा था कि वित्त मंत्रालय एक केन्द्र बिन्दु है जहां से तमाम नियोजन और संयोजन होता है। वित्त मंत्री अपने साथी मंत्रियों और मंत्रालयों से कहें कि उन के अन्दर

जो दायित्व है उसका पालन करने के लिए उन में ताल-मेल होना चाहिए। मैं निवेदन करना चाहता हूं कि उत्पादन के क्षेत्र में आप को एक ऐसा इन्फ्रा स्ट्रेक्चर बनाने की आवश्यकता है, सावधान बनाने की आवश्यकता है कि जैसे ही आप किसी को उद्योग के लिए लाइसेंस दें उस समय एक पैकेज डील होना चाहिए। तमाम मिनिस्ट्रियो के ताल-मेल से आप को यह भी सिद्ध करना चाहिए कि हमें कुछ उद्योगो के लाइसेंस देने मे किन - किन चीजो की आवश्यकता है, जैसे बिजली, पानी, रेलवे वैगन, कच्चा माल आदि। जब आप सब कुछ देख ले और निर्धारित करले तब आप लाइसेंस दें। लाइसेंस देने के पहले इस बात का निर्धारण होना बड़ा आवश्यक है। जब किसी व्यक्ति को एक मिनिस्ट्री से लाइसेंस दिया जाता है। तब उसको चार मिनिस्ट्रीज मे घूमना पड़ता है। कहीं उसको विदेशी मुद्रा नहीं मिलती है और कहीं कच्चा माल नहीं मिलता है। कहीं बिजली नहीं मिलती इन सब बातो पर आप को विचार करना चाहिए लेकिन लाइसेंस देने का यह अर्थ नहीं है कि बिना साधन उपलब्ध किये हुए आप उद्योग लगाने की अनुमति देदें। इस सम्बन्ध मे सदा एक पैकेज डील होना चाहिए। जब वही निर्धारित हो जाये तभी लाइसेंस दिया जाना चाहिए।

बहुत सी ऐसी चीजे है जिन के लिए फारेन एक्सचेन्ज की आवश्यता नहीं होती जैसे सिमेंट है पेपर है कपड़ा है सूत है। आज हम उसमे भी अभाव की स्थिति देख रहे है। मैं नहीं कहता कि आप इस चीज को प्राइवेट सैक्टर को दें या न दें। आप ज्वाइन्ट सेक्टर मे दे सकते है लेकिन हमारे राष्ट्र के निर्माण मे, आर्थिक प्रगति के मार्ग पर हम को अग्रसर होना चाहिए। जिन आवश्यक उपयोगी वस्तुओं की आवश्यकता है जब वह प्राप्त नहीं होती है तब कौन बतलाये कि इस चीज का अभाव क्यो है? आज पेपर क्यो नहीं मिलता, सीमेंन्ट क्यो नहीं मिलता, लोहा क्यो नहीं मिलता? हम कह सकते है कि आज पानी के अभाव के कारण, वर्षा के अभाव के कारण, खेती पर असर हुआ है, लेकिन औद्योगिक क्षेत्र की प्रगति क्यो रुक गई, क्यो कुंठित हो गई? खेती के क्षेत्र मे हमारा उत्पादन गत वर्ष 1.5 हुआ, लेकिन मुद्रा-स्फीति लगभग 11 प्रतिशत बढ़ी है। हम भाव कंट्रोल नहीं कर पाये। अभाव, उपलब्धि और उत्पादन एक दूसरे से जुड़े हुए है और जब तक आप उत्पादन को आगे बढ़ावा नहीं देंगे, जब तक उन के जितने भी उत्पादन हैं जितनी भी समस्यायें हैं उन को एक स्थान लाकर समाधान करने का प्रयास नहीं करेंगे तब तक आपका खेती का और उद्योगो का जी० एन० पी० आगे नहीं बढ़ेगा। इन दोनो का ताल मेल होना चाहिए। हमारे यहां औद्योगिक उत्पादन 7 परसेंट हुआ है और कृषि के क्षेत्र मे 1.5 हुआ है।

मैं आप से कहना हूं कि सर्वाधिक प्राथमिकता हम को इस बात की देने की आवश्यकता है कि सब से पहले जो हमारे साधन अथवा सम्पत्ति है उन का बहाव खेती की तरफ हो। आज हम 70 75 प्रतिशत विदेशी मुद्रा खेती मे प्राप्त करते हैं जैसे चाय है, जूट है पेपर है,। इन सब चीजो का बटोर कर हम खेती की तरफ जाये जिस स्थान पर हमारी अधिकतर जनसंख्या रहती है। आखिर वह कौन लोग है जिन की खेती का विकास न होने के कारण सिंचाई, बिजली पानी अप्रोच रोड हाइब्रिड सीड तथा दूसरे साधन नहीं मिलते हैं आज वह लोग अपनी फसल नहीं बढ़ा सकते हैं और सिंचाई के अभाव में ग्रामीण क्षेत्र के नौजवान शहरो की तरफ भागते हैं इसका कारण यह है कि लोगो को काम नहीं मिल रहा है। मैं सदन के माध्यम से वित्त मंत्री जी से कहना चाहता हूं कि हम लोगो के पास जो भी साधन है उन का खेती के लिए उपयोग को प्राथमिकता दी जाये खेती उत्पादित होने वाली जितनी वस्तु हैं सबसे पहले उन की आवश्यकता मानव जीवन के लिए होती है

[श्री राम सहाय पांडे]

आज बिजली कम कर दी गई है, जितने पम्प आदि है वह बन्द पडे है, वह आपरेट नही कर रहे है। अध्यक्ष महोदय, आप पंजाब मे आते है। आज यहा के लोग पजाब और हरियाणा की ओर आशान्वित दृष्टि से देखते है। आज वहा पर साधन है,वहा जल है बिजली है, लेकिन बिजली मे कटौती होने की वजह से बडी क्षति हो गई है। क्यो न वह अपनी योजना के साथ साथ यह योजना रखे कि जितनी मेगावाट बिजली है उस का ठीक से उपयोग हो और साथ मे यह प्रावधान किया जाये कि अगर कही पर वर्षा नही हुई है और कैचमेंट एरिया पूरा नही हुआ है, तो वहा पर थर्मल पावर स्टेशन पिट हैड पर बनाये जाये। बिजली तैयार की जाये। आप के पास कोयला है दूसरे साधन है। हम मध्य प्रदेश मे लगभग 3 000 मिलियन मेगावाट बिजली पैदा करते है। हम चाहते है कि वहा पर पिट हैड पर पावर स्टेशन दिये जाये। वह नही हो पाये है तो उन से पूछा जाय कि कौन इस असफलता के लिए उत्तरदायी है। मै बडे आदर के साथ डा० के० एल० राव का ध्यान आकर्षित करना चाहता हू कि जब भी बिजली की बात आती है तो वह पहले पर आकर स्टेटमेंट पढ देते है लेकिन उन का कम्युनिकेशन के मिनिस्ट्री से इस का स्वीकार करना चाहिए कि हमने एक आयोजन किया था कि हमारे सुपर पावर स्टेशन पिट-हैड पर हो हमने इस के लिए प्रयास भी किया लेकिन मत्रालयो मे सहयोग न होने के कारण असफल हुए।

जहा तक खेती की बात है हर किसान सिचाई के लिये चिल्लाता है। सिचाई के लिए पानी चाहिए। हमारे यहा पर 87 पैरिनियल नदिया है जिन मे पानी बहुत है। और बहता रहता है हमारे यहा 3,600 मिलियन एक फीट पानी बरसता है, लेकिन हम मुश्किल से 1500 एक्ड फीट वाटर सिचाई के लिये लेते हैं। हमारे पास पानी की विपुल सम्पत्ति है। संसार में जितना पानी बरसता है उसका दसवां भाग हमें प्राप्त होता है। लेकिन सिचाई के मामले मे हम कमजोर है मै जानना चाहता हू कि हमारा ध्यान इस तरफ क्यो नही गया कि हम को जो नैसर्गिक साधान प्राप्त हैं उन को हम ने खेती की तरफ उन्मुख क्यो नही किया। मै कहना चाहता हू कि जो हमारे सिचाई और बिजली के मत्रालय है यह सब से कमजोर है, हमारे मत्री सब से ज्यादा कमजोर है, नही तो आखिर उन को पैसा क्यो प्राप्त नही होता ? यह उन की पहली प्रतिबद्धता है, लेकिन यह उन की सबसे बडी असफलता है। उन की सफलता केवल स्टेटमेंट देने मै है। उन को स्टेटमेंट देने को मिलजाये भाषण देने को मिलजाये। इस तरह से देश मै एक निराशा का वातावरण पैदा करने का प्रयास किया जाता है जिस का हमारे मन पर भी असर होता है।

अब मै अपने क्षेत्र मे जाता हू तो लोग पानी पानी चिल्लाते है। हर किसान को पहले पानी दिया जाय। छत्तीसगढ के क्षेत्र मे जहा 50 इच पानी गिरता है छोटे छोटे नाले नालया है नदिया है। अगर उन के द्वारा पानी की व्यवस्था कर दी जाय तो अन्न के देश का भाडार हो सकता है हमारे छत्तीसगढ वाले। आज सब जगह त्राहि त्राहि मची हुई है शिवपति के मन मे भी तकलीफ हो रही है कि मुद्रास्फीति पर आप कन्ट्रोल नही कर पाये है, उत्पादन बढ नही रहा है, साधन आपके नही रहे है और अन्त मे सारे देश मे एक निराशा का वातावरण उत्पन्न हो रहा है। आज जो स्थिति हो रही है उस को देखते हुए समझ मे नही आता कि जो हमारा लोकतन्त्री ढाचा है, डिमाक्रटिकट फैब्रिक है वह मजबूत है या नही। मेरे मन मे यह सन्देह होता है।

आज चारों तरफ लूट हो रही है महाराष्ट्र और बम्बई से मेरा बड़ा सम्बन्ध है। वहां की स्थिति बड़ी भयावह है। लेकिन हम देखते हैं कि विरोधी दल हमेशा ऐसे समय की प्रतीक्षा करते हैं और सूखे और अभाव की स्थिति का लाभ उठा कर विलो दि बैल्ट हिट करने की कोशिश करते हैं। आज नागपुर में क्या हो रहा है? अलग विदर्भ का नारा दे कर दुकानों को लुटवाने का प्रयत्न किया जा रहा है। सरकार इस बारे में पूर्णतया सजग है और वह अधिक से अधिक अनाज वहां पहुंचाने की व्यवस्था कर रही है।

महाराष्ट्र और मध्य प्रदेश आदि कुछ प्रदेश ऐसे हैं, जहां अगर पानी बरसेगा, तो खेती होगी और अगर पानी नहीं बरसेगा, तो सूखा पड़ेगा। पिछले तीन वर्षों से महाराष्ट्र की स्थिति भयावह हो रही है। मंत्री महोदय बड़ी सजगता और चेतना के साथ उस की मदद कर रहे हैं। लेकिन अन्तोगत्वा हमारी दृष्टि जाती है हमारी योजना और हमारे प्लानिंग पर। हम को उसे मज़बूत बनाना चाहिए और यह सोचना चाहिए कि यदि पानी नहीं बरसेगा, तो हम क्या करेंगे। एक दिन श्री चह्वाण ने कहा कि पानी न बरसना हमारे देश के लिए कोई नई बात नहीं है। लेकिन सरकार को और हम को कोई आल्टरनेटिव, कोई विकल्प, तो ढूंढना पड़ेगा कि अगर वर्षा न हुई, तो हम क्या करेंगे। जहां तक बफ़र स्टाक का सम्बन्ध है, तीन चार वर्ष से हमारी फ़सल अच्छी हो रही थी लेकिन सूखा पड़ने पर हमारा बफ़र स्टाक दो महीने में ख़त्म हो गया। हमें इस बात की कोशिश करनी चाहिए कि हमारे पास अनाज का पर्याप्त भंडार हो, अनाज का उत्पादन बढ़े, उस के भाव न बढ़ें और मुद्रा-स्फीति--इनफलेशन भी और न बढ़े, वह दो तीन परसेंट से अधिक न हो।

इनकम टैक्स डिपार्टमेंट पर पैसा कलेक्ट करने की बड़ी भारी ज़िम्मेदारी है। हमारे देश में 38 लाख करदाता--टैक्सपेयर हैं। सरकार ने प्रोग्राम आफ़ मास कम्यूनिकेशन टु एजूकेट पीपल और आन दि स्पाट एसेसमेंट की जो योजना जारी की है वह सफल रही है। उस के द्वारा छः, सात, दस करोड़ रुपया वसूल किया गया है और छः सात लाख नये छोट का दाताओं ने रिटर्न भरे हैं। हमारे 38 लाख करदाताओं में जो बड़े लोग हैं वह तो खूब जम कर चोरी करते हैं, जब कि छोट लोग--मैं रेलेटव वर्ग में कह रहा हूं--ईमानदार होते हैं। मास कम्यूनिकेशन और आन दि स्पार्ट एसेसमेंट की योजना--और आगे बढ़ानी चाहिए।

आज हमारे लोगों में यह भावना आनी चाहिए कि इस देश में टैक्स देना एक राष्ट्रीय कर्त्तव्य है। अगर हम इस जगन्नाथ की रथ-यात्रा की सारी ज़िम्मेदारी केवल वित्त मंत्री, श्री चह्वाण, पर छोड़ देंगे, तो उन के कंधे डगमगा जायेंगे। इस महान रथ-यात्रा में देश के हर एक नागरिक को अपना योगदान करना चाहिए। हमें भाग्य और भगवान् के भरोसे बैठे रहने की पुरानी परम्परा को तोड़ना पड़ेगा। हमें भाग्य के मन्दिर में बैठे हुए भगवान को हटा कर श्रम के मन्दिर में इन्सान की प्रतिष्ठा करनी पड़ेगी, ताकि करोड़ों हाथों की सहायता से वह रथ-यात्रा अपने निर्दिष्ट स्थान पर पहुंच सके और हम अपने देश के लोगों को रोटी वस्त्र और मकान दे सकें।

हमारे देश में राजनैतिक चेतना तो है, लेकिन उस के साथ साथ हमें उत्पादन ओरियंटिड इकानोमिक चेतना जाग्रत करने की आवश्यकता है। हमें लोगों में यह भावना भरनी चाहिए कि हर एक आदमी देश की प्रगति और विकास

[श्री राम सहाय पांडे]

कान्ट्रोब्यूट करे, काम करे, श्रम करे, उस को अपने राष्ट्रीय कर्तव्य का बोध हो और उससे अधिक देने और कम लेने की भावना पैदा हो, ताकि हम सब मिल कर राष्ट्र का निर्माण करे।

जहा तक प्रधान मंत्री का सम्बन्ध है प्रधान मंत्री का काम रोटी बाटना नही होता है। उस का काम एक आदर्श प्रतिष्ठापित करना और प्रेरणा देना होता है। हमे सारे राष्ट्र को समवेत कर के लोकतंत्र की ओर आगे बढाना है और इस रथ-यात्रा को आगे चलाना है। मै वित्त मंत्री जी को धन्यवाद देता हू कि वह इतने कठिन और कष्ट के समय मे अपने दायित्व का पालन कर रहे है।

इंडस्ट्रियल सैक्टर मे पार्टिसिपेशन आफ लेबर बहुत जरूरी है। इंडस्ट्री मे जो टोटल प्राफिट होता है उस मे मजदूर का कोई पार्टनरशिप नही होता है। हमे देश मे ऐसी आर्थिक चेतना जाग्रत करनी चाहिए कि अगले दस पद्रह वर्ष तक कोई स्ट्राइक या लाक-आउट न हो। अब इंडस्ट्रियल डिसपूट्स एक्ट की कोई उपयोगिता नही रह गई है। सरकार को ऐसी मेजनरी क्रीएट करनी चाहिए, जो औद्योगिक विवादो का आन दि स्पाट फैसला कर दे।

सरकार को विरोधी दलो का कान्फिडेंस मे लेना चाहिए। आज हम अभाव और अकाल से जूझ रहे है और इस का मुकाबला हमे युद्ध स्तर पर करना है। हम प्रोक्युरमेंट कर के सरकारी दुकानो के माध्यम से सब लोगो तक अनाज पहुंचाना चाहते है, लेकिन हम देखते है कि जनसघ के लोग किसानो के पास जा कर कहते हैं कि अनाज के जो भाव निश्चित किये गये हैं, वे कम हैं, इस लिए वे अपना अनाज न बचें। जब तक देश में अभाव की स्थिति है, तब तक इस प्रकार का आन्दोलन नही किया जाना चाहिए। अभाव और भूख का मुकाबला युद्ध-स्तर पर किया जाना चाहिए। पिछले युद्ध के समय श्री अटल बिहारी वाजपेयी ने कहा था कि प्रधान मंत्री दुर्गा हैं। मैं कहना चाहता हू कि आज भी वह दुर्गा हैं। अगर वह उस युद्ध मे जीती थी, तो वह इस आर्थिक युद्ध मे भी अवश्य सफल होगी। इस लिए विरोधी दलो को इस कठिन समय मे अपने दायित्व का पालन करना चाहिए।

इन शब्दो के साथ मै इस विधेयक का समर्थन करता हू और चाहता हू कि वित्त मंत्री ने जो लक्ष्य सामने रखा है, वह उसकी ओर अग्रसर हो, उन्हे सफलता प्राप्त होगी।

MR SPEAKER. We have fixed 10 hours out of which 5 hours are for General Discussion, 4 hours for Clauses and 1 hour for Third Reading But the programme seems to be a little dislocated Already we have almost taken 6 hours for General Discussion That means for Clauses we will have to reduce it to 3 hours I am not going to go beyond half an hour more I will accommodate two or three more speakers and then take up the clauses

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH) Sir, out of 10 hours allocated for General Discussion, I believe about 4 hours are left for General Discussion. If you could kindly help us, you may call the Minister tomorrow You can reduce the time for Clauses.

MR SPEAKER: Yes. I said, 5 hours for General Discussion; but actually it is 10 hours for General

Discussion. I will call the Minister tomorrow. So, within the time left for General Discussion, as many speakers as possible will be accommodated.

DR. KARNI SINGH (Bikaner): Mr. Speaker, Sir, in November last, while speaking on the food debate raised by Mr. Gaekwad and myself and the rising prices, I had said that a combination of food shortage and rising prices would create an explosive situation. Today, we are adding to that famine and I must mention before the hon. House that food shortage, rising prices and famine, all together, have created a volcanic condition. I only hope that our Government is fully aware of the situation.

The widespread famine throughout the country has been causing a great deal of concern to everyone. But I do feel that there are lots of troubles that the people are facing in the country which to a large extent is due to mismanagement and lack of coordination in the various Ministries of the Government of India and more so between the Centre and the States.

It has been said—I hope, this is not correct—that while deciding how much aid to give to various famine-stricken areas that Rajasthan, which is used to perennial famine, should receive less aid because it can look after itself and that other States which have not had famine for long will be given more aid. If this is true, this step-motherly treatment should not take place within one country. I hope, the Finance Minister will see that all famine-stricken States are given equal share of assistance to tide over the difficult period.

For the last one month I had the occasion to tour the famine-stricken areas of Rajasthan, particularly the north-western parts of Rajasthan. What I have seen with my own eyes will make everybody weep. It is a shocking situation. I say 'shocking' because the mismanagement of famine camps is something that has to be seen to be believed, and I feel it my duty to bring before the hon. House the conditions so that they can be rectified because the next two months which are going to be the most critical.

I have brought with me a bottle of water which is being consumed by human beings. This is the water which is given to people to drink. I know that for thousands of years people have drunk water like this, but in the present age of science and technology, with the immense wealth that the Government has today to solve the problems of the people and with all this talk of 'Garibi Hatao', socialism and social justice, if this is the water that free India's citizens are expected to consume in the year 1973, I think that is a very sad state of affairs.

Wages in famine camps are not being paid in time and the food supply conditions are absolutely shocking. Wherever I went, people say that, even if they are prepared to spend the money, they cannot buy food. They are living in sub-human conditions, under grass roofs, in 120° F, in the shade.

Employment is inadequate. In Bikaner district Government has taken a decision—I do not question the decision—that everybody will work in the Rajasthan Canal. Bikaner district is 150 miles across and in this famine-stricken area, Government expects that people will take their wives and small children and cattle and move on to the site of the Rajasthan Canal. In the past years—in fact, I would go back even 60 or 70 years ago—famine relief had been provided to people within 10-mile radious of the village. If you

[Dr. Karni Singh.]

were to send a Parliamentary Commission consisting of members from different sections of the House to go and look at the conditions under which those people are expected to live with their wives, children and old parents, they would find that they are eking out a miserable existence with the 70 paise or so which they collect as wages paid for job done. And, on top of that, this is what they are made to drink! I think, a Welfare State has to look into this matter. Although the Canal has to be built quickly, this is not the only way provide famine relief. If you want the Rajasthan Canal or any such project to be finished quickly, the Centre has to take it up. We have raised this before the Government and before the Consultative Committee of Irrigation and Power, and it has been unanimously accepted that the Rajasthan Canal should be a Central subject Take it up under your wing and finish it quickly, so that you can solve the problem of famines for all times to come.

Then again, alternate work is not planned and given to people in famine camps. A piece of work is given for, say, 15 days, and after that work is over, they have to wait for ten days or so until a new work is given. In the meantime where is the sustenance for those people who are eking out a miserable existence? And Government talks about social justice! Is this social justice? I would ask the Finance Minister to send his own representatives, the hon. lady Minister; I know, she has a very soft heart; if she were to go on behalf of the Finance Minister and see the conditions, I am sure that her report will be correct, and that report will show that such conditions cannot be allowed to be continued in a socialist State.

Ration cards are often delayed. The Famine has been delared late. As far back as November, we had raised this question on the floor of the House—Mr. Fatesinghrao and myself had jointly raised it—in a debate on food and had warned the House that the situation was going to be so difficult that, by April-May, unless adequate steps were taken for food water and employment in the famine area we were going to have a very difficult time. The famine code is there, but it has been applied late. Famines are declared as late as November or December. I am afraid such a situation cannot be allowed to exist. I would like to tell the hon. Minister opposite—and I say it with a little bitterness because I have seen the human suffering this time—that if such a situation happened 25 years ago when India just became independent, if such a situation had been allowed to exist in the Princely States, in the time of any ruler, I am sure the Government of India would not have tolerated it, and the rulers' heads would have rolled But today such a situation exists and they tolerate it, even this House tolerates it. It is something I cannot understand ...

SHRI S. R. DAMANI (Sholapur): In one State 35 lakhs of people are working on famine relief works.

DR. KARNI SINGH: The hon. Member was born in my constituency. Why does he not go and tour that area?

There is also a new rule this time, which is a very unfortunate rule, that only 50 per cent of the people in a family will be employed. If a family consists of ten major members, five will be employed in the famine camps and five will sit back with no employment at all. Also boys under 18 are no longer employed like in past famines. I do not know what this new law is. But they also have to be fed. The father earns 70 or 80 paise per day and he has to trek long dis-

tances for work and he is quite hungry. How can he feed the entire family of children of 12 or 18 years of age if they are not given any employment? I feel this is a slur on our democracy, on our socialism and this mis-management has to end.

I have raised in this House for the last 15 years on numerous occasions the question of the population increase in relation to food supply and I do not want to go into these figures again. But there are two things I should like to place before the House to show how the population increase is going to necessitate additional food imports. I would quote from a speech made by Mr. Shinde in a discussion we raised here last November. I spoke on family planning and food deficit. This is what Mr. Sinde said:

> "When we take into consideration this increased growth rate, then what would be the additional requirements? According to our calculations it comes to the order of 12 to 13 million tonnes roughly. From the year 1966 onwards the population increase has been of the order of 14 per cent."

Here is the *Newsweek* Magazine which says that in 1980, that is 7 years from to-day, the world will need a quarter more of food than it consumed in 1970.

I feel that the Ministers are to-day far too scared to rise this problem, a problem that Japan has not only raised but solved. It is like a surgeon who knows that there is cancer and will give the man medicine, a temporary palliative but will not go down to the core of the problem of removing the cancer. For India, population explosion is going to be the cancer but none of our Ministers, not even the Prime Minister; will get up on the platform and say, 'For God's sake let us do something so that people who are living on this earth today will have a better way of life and a better deal and a better standards of living'.

The recent verdict of the Supreme Court has imposed a very very great responsibility on Members of Parliament. No matter what we may say theoretically, the fact now is clear that Parliament is supreme. But whatever else may be said, the fact remains that the Judiciary does not have the power that it had a week or so earlier. Therefore, I feel that whatever legislations we MPs, in our wisdom, bring about in this House should be done with a great deal of care because the Supreme Court is no longer the watch dog that it was. Therefore, whatever legislation is brought should be such that we know where the shoe pinches. If we want to inflict something on the people of India, then we must know and we must also be prepared to share some of these things.

Mr. Chavan, I believe, has got some law on the anvil that anybody who evades taxes will be sent to jail for seven years. This is nothing which surprises me because I knew and I had forecast this that India would ultimately travel on the road to Communist dictatorship or Hitlerism. From Gandhian philosophy of yesterday we only talk to-day of imprisonment or jail. Is that the motivation to stay honest? You tax a person out of his existence—sometimes double his total income in direct taxes. Thereafter you say 'Seven years in jail'. I would like to ask the Finance Minister, 'Is it his intention that India should one day become like what Germany was in Hitler's time with camps like Buchanwald and Belsen?' If things go this way, it will happen inevitably. It will come that way. Prosecution of a small percentage of people will ultimately lead to the same thing that happened to the Jews in Germany. If your problem is that too much wealth is concentrated in the hands of some

[Dr. Karni Singh]

people take it away. I have said so dozens of times on the floor of this House Impose a capital levy and take away that wealth and bring about equitable distribution of wealth at one go. Finish it once and for all and make up your mind that no Indian would have more than 'X' amount of money, that no Indian would have more than 'X' number of houses to live in. OK But, you tax a man out of his existence and; thereafter; sit here and say that that man has evaded tax and put him in jail for seven years Ultimately, the day will come when Mr. Chavan will not be here, when I would not be here; but the day is coming when this country will go the way Hitler went, the way Stalin went; when 50,000 people were killed in one night in Russia and 60 lakhs of people were put into gas chambers in Germany ... (*Interruptions*). You would not be there I would not be here but the direction in which the country is going, the way you have acted with the Supreme Court at the present moment where the Judges have been superseded, I think, all this is taking the country in the direction which none of us wants to see. We do not want to see in India a communist dictatorship We do not want to see a Hitler here If you bring in an absurd legislation, a legislation which is absurd in its own context, then you must have dishonesty and you, the must have dishonesty and you must Finance Minister, will be responsible for making India hundred per cent dishonest If you want to bring in tax laws, bring in laws which are within the paying capacity of a human being. If a man has got too much money, take it away but do not make laws and threaten a man day in any day out with dire consequences of being sent to imprisonment. If you want to make India one big prison camp, I am sorry that is not a country which many of us would like to see In our country with all these taxes, a man is faced on the one side with dire consequences of being sent to jail and on the other side he knows there is going to be no old age insurance or there is not going to be any social security in the country—I had myself introduced Bills to this effect in the House and they were defeated—in that situation if he has a choice to give a bribe of Rs. 10000 or to go to jail for seven years I want to ask the Finance Minister which choice he will take. I have great admiration and respect for the Finance Minister, but I would like to ask how the average human being will react to a situation of this type? Are you going to bring in laws which will increase corruption? You know the amount of corruption in this country Ask the youth or a man in the street how he gets a job today. Either he has to go to a Minister and get his 'Sifarish' or alternatively he has to pay a thousand rupees before he can get a job even in the Railways. This is your employment condition. What will you do? Are you going to see that every man is going to survive in this country only through giving bribes only because you bring in a legislation which is inhuman and absurd and cannot be followed? I can understand that you will say 'yes' Prof Kaldor said this and that and such and such law or provision obtains in Russia and America Why? Because some people have concentration of wealth Take it away. Bring in socialism but then do not go to these same businessmen and ask for money to fight the elections You will have to make your politics clean first and foremost

Sir, I had introduced a Bill in Parliament regarding salaries and allowances of Members of Parliament. You want to bring in an egalitarian society. All right. I felt that Members of Parliament drawing Rs. 51 a day tax-free as allowances was wrong because in the new way of thinking in our country all of us will have to

make a contribution towards the national exchequer. Some Members of Parliament whose income may be very small may have to pay a tax of Rs. 10 per month but some of us who are at the maximum slab will be paying 97 per cent towards taxes. So, the Members of Parliament should not hesitate paying the same taxes as the man in the street pays. That was the reason for that Bill and I have no doubt Parliament will in its own wisdom sooner or later bring in that kind of Bill.

MR SPEAKER: Our Members are the least paid in the world.

DR. KARNI SINGH: They are not the least paid in the country which has the highest taxes in the world.

Somebody told me only this morning that India's socialism is 'Impala Socialism'.

श्री सरजू पाण्डेय (गाजीपुर): आप बड़े आदमी हैं।

डा० करणी सिंह: हिन्दुस्तान में बड़ा आदमी और छोटा आदमी कोई नहीं है, सब बराबर हैं।

If you come on to the front gate at Parliament House you see what might look like a Lok Sabha of India but when you come to the Ministers' gate it is known as 'Impala Socialism' because every Minister rides in the sleekest American cars. I have nothing against it. I say that if you want to buy cars, do it by all means, but if you want to tell everybody in the street, "Look, you are living ostentatiously; what you are doing is wrong: the country is poor", then, for God's sake try and do something yourself. Practise what you preach. I am sure there are very good indigenous cars which the Ministers can use, more so when the cars are paid by the taxpayers.

Now, Sir, a word about the expenditure on the Ministers' houses and the expenditure incurred on their retinue, like free electricity and what not. Surely the time has come when the hon. Minister should be the first to accept that, when they talk about socialism and social change, Ministers should not spend a lakh of rupees on doing up their offices or homes. This is completely out of order. The Wanchoo Committee suggested that there should be a 70 per cent tax, but the Finance Minister said 'No' and made it 97 per cent, so that many more dishonest men would be injected into the country. The provision for imprisonment is there. The whole country has got to face the spectre, because no matter what you say, the time may come when some Indian who has committed a trivial offence and done something under some law will be put in jail. I wonder if this was the police State which Gandhiji dreaded for this country, where a citizen would only act decently if. . .

MR. SPEAKER: Now, the hon. Member should try to conclude.

DR. KARNI SINGH: This is the only occasion when I have spoken during this whole session So, may I have your permission to have a little more time?

MR. SPEAKER: His party has been getting the full time. It is not my fault if he has not spoken.

DR. KARNI SINGH: During this session, this is my only speech. So, may I be permitted to say just a few more words?

MR SPEAKER: It is based on allocation of time to the different parties.

DR. KARNI SINGH: The hon. Minister of Planning has coined a new phrase, and he calls it "5 per cent" of India's population. In relation to that, I have also coined a new phrase, namely the 0.0001 per cent to the Ministers. I think the time has come

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when the 5 per cent will be exterminated, and then the turn will come of the 0.0001 per cent, and I think the 0.0001 per cent must learn to live and practise exactly what they preach.

I shall just say a few words about black money. If you want to stop black money, as it must be stopped in this country, the first step is to make your taxation reasonable and within the paying capacity of the man, and then you have got to make politics clean. I can tell you that if politics is made clean, then the time will come when black money will disappear in this country. I can tell you today that in the 1976 elections to the Lok Sabha, it will cost the ruling party not less than Rs. 100 crores to fight the elections. Will the hon. Minister of Finance kindly tell the House that every single penny which will be utilised will be white money, and will he also tell the House that if any Minister or any partyman is found taking black money from anybody, he will receive double punishment, because a Minister should do nothing wrong and, if he does, he should receive double punishment? Then and then alone can you expect that from the man in the street right up to the Minister all will be clean and there will be no black money used.

There is one more point about raids. Today, the power to raid is one of the most misused powers, a power that is used sometimes even for political reasons. If the hon. Minister feels that a man is hiding money then let him raid him by all means, and let him go ahead. But what I am trying to say is that the time has come when the raiding power of the Governments have become so much and dictatorial that there should be an antidote to this which would make the Ministers feel where the shoe pinches. The suggestion that I wish to make to the House is this that 50 Members of Parliament from any part of the House may petition the Speaker to organise a raid on any Minister in this country. I think that that is fair, because this is a sovereign legislature, and if the Members of Parliament, at least 50 of them, in their joint wisdom can ask for organising a raid on a Minister, then the Minister will know that the power to raid is not a thing to be used lightly and that a decent man's nose cannot be rubbed on the ground, more so if it turns out not to be his fault, if it is his fault, then surely you can catch him.

In regard to urban property ceiling, I would say that this is the biggest hoax and vote-collecting slogan that I have ever heard. But if it is the desire of Government that urban property ceiling should be brought in, then by all means, let him bring it. I am not opposed to urban ceiling, if it applies to buildings that are used for income and rent collection. But I am opposed to it where homes are concerned. There is no dearth of space, because skyscrapers are going upwards. If you go to Singapore, a tiny little country, you will find hat they have solved the problem of housing for their labour because they have raised multi-floored buillings, and even the poorest man today pays about Rs. 5 to have a home, and has a home right up in the skies above. We can do the same thing here. But if you are going to take away from people their buildings which are homes, then that would create problems. When you take away people's homes the question is going to come about the valuation. I have been saying that the ever changing valuation of the property will be something like this. Today the property may be worth Rs. 5 lakhs. But tomorrow, it is going to be Rs. 6 lakhs and the day after, it is going to be Rs. 7 lakhs because the value of the rupee is being eroded. What are you going to do in the case? Are you going to tell the man 'Pull your kitchen down today and make it Rs. 5 lakhs'? After two years, pull down your garage, and in the third year, your children are married, so,

pull down the first floor and thus still keep it within Rs. 5 lakhs? How absurd this is going to be: This arbitrary power for valuation of property is going to be something that will be misused to the ninth degree. In view of this, I have one suggestion to make. That suggestion is that Ministers, MPs and government officers shall not live in any government property or their own property which exceeds the value of Rs. 5 lakhs valued at the same rate of valuation as the property of the citizen in the street is going to be valued. Today I can tell you that the average house of a Minister is not worth less than Rs. 30-40 lakhs at the rate of valuation going to be done, for properties for purposes of wealth tax and urban property ceiling. Now, you can turn round and say, 'the building does not belong to the Minister or to the M.P.' That is not the point. Socialism is a concept. If you believe in a concept, then no individual shall occupy land, building or property in excess of so many square yards or whose value is so much. I am quite confident that the Prime Minister, Shri Chavan and many Ministers like them who are socialists, who truly believe in it, will pick up their suit cases the day you bring in an urban property ceiling and will walk out of their houses and tell the nation: 'Here are the houses we occupied which are worth Rs. 50 lakhs or more and we shall not live here because we do not believe in double yardsticks in the country:' As the Finance Minister, the MPs and everybody henceforth shall live in houses worth not more than Rs. 5 lakhs.

अध्यक्ष महोदय : मुझे तो अपने घर में दो कमरे आप दे दीजिये ।

DR. KARNI SINGH: I would like to tell Shri Atal Bihari Vajpayee that he should also live up to the manifesto of his party and that he shall not occupy property, whether it is his or Government's, which is over 2,000 square yards or worth over Rs 2 lakhs. The sooner the shoe pinches, the more careful will be in bringing forward legislation where the man in the street is affected but Ministers, MPs and Goernment officers escape. Otherwise, it is an absolute fraud.

One more point. This is about retrospective effect of urban property legislation. I will tell you what happened in Rajasthan. Retrospective legislation has been brought in Rajasthan on urban property ceiling. The result is that trusts have been created or buildings have been sold and the owner is completely at sea. I would ask: are the people of India your enemies that you should treat them this way? If you want to confiscate property take it away. I do not say 'no' to that. But why do you want to leave a man tied up with knots of legal problems for the rest of his life? Is not a human being's time worth more? Should not he contribute to the building up of the country? Should not there be a sense of participation from the 57 crores of Indian people in nation-building? You cannot build the country all by yourselves. You need the help of every single Indian to build up the country. Why tie them up in knots with absurd legislation and that too retrospective for two years and so on.

I ask: Is this not a fraud? Your own Registrar sitting in a government office registers the sale of property or registers trusts, takes the same duty and accepts everything in all good faith Then you bring in legislation retrospective for two, five and ten years as a result of which everything that was done in good faith is washed away. I say it is a fraud. You will again force the people affected to go to court. I know what the decision this time will be in the courts. We do not have to guess. I would very respectfully tell this hon. House that this is a wrong idea, to bring in legislation retrospectively—legislation must always be prospective.

[Dr Karni Singh]

In Rajasthan, there is an extraordinary situation. Mr Speaker, sir, you as an agricultural citizen understand it This lacuna applies to any person who is resident in a largish town Take, for instance, Ganganagar Within 8 kms for the purpose of agricultural land, all farms become urban land In genuine agricultural cities like Ganganagar, those lands need for farming for years now are included in urban property, the land price is high, and Rs 3 lakhs is going to be taken for ceiling including farms and houses Absurd as it is, but that some land is coming also under the agricultural ceiling How can you possibly bring the same land under two ceilings, agricultural and urban?

Added to this there is a new Rajasthan land law about rural ceiling whereby discrimination is practised between an adult son and an adult daughter Suppose the adult daughter does not want to marry Why should she not be able to do her own farming? You have a Prime Minister She is a lady We expect equal rights for our women Why should there be discrimination in farming also between adult sons and adult daughters?

You want to build a great country Build it on sane laws If there is too much wealth concentration take it away But do not make India a gestapo State a State or a country like what Hitler or Stalin built We want India to be a free country as a Gandhiji and Nehruji wanted Please do not keep on threatening the people everyday with dire consequences of imprisonment to stay straight Let us have India free country where free men can breathe like free people If wealth is the only reason, I say take it away, but do not take away the individual freedom of the human being

श्री के० डी० मालवीय (डुमरियागंज): अध्यक्ष महोदय, जो फाइनेन्स बिल हाउस के सामने पेश है मैं उसका समर्थन करने के लिए खड़ा हुआ हूं। मैं समझता हू कि जो नोट आन क्लाजेज आखिर में इस फाइनेन्स बिल मे है वह अच्छी तरह से यह साफ करता है कि फाइनेन्स बिल के के क्लाजेज के अन्दर कुछ उग्रता लाने की कोशिश की गई है और ऐसी तजवीजें की गई हैं जिनसे हम अपने उद्देश्य की तरफ बढ सकेंगे। बात यह है कि हम फस जाते है पत्तियो को गिनने मे और जो हमारी बुनियादी समस्याए हैं उनके लिए हम भूल जाते है कि वह आज या कल इस तरह से हल नही हो सकती हैं जैसे कि कुछ हमारे माननीय सदस्य समय समय पर आवेश मे आ कर या दुख मानकर कह जाया करते हैं और सरकार की नुक्ताचीनी किया करते है। दाम तो चीजो के बढेंगे हम चाहे या न चाहे। अगर समाजवाद का उद्देश्य हमारे सामने बदकिस्मती स न भी हो तब भी इस तेजी से बदलते हुए जमाने मे जहा आबादी बढ रही है, हमारी समस्याये बढ रही है और दुनिया भर मे चीजो की कमी है तो दाम तो बढ़ेंगे ही, वह कम नही हो सक है।

We have to recken with the basic problems that face us as a result of problems that face us as a result of cial concepts It is inevitable in India and espe ially where the population growth rate is the highest or the second highest in the world, it is absolutely imperative that we recognise the fact that prices will increase, and scarcity will be a basic factor to recken with Even if socialism comes at a more rapid pace which I want it to come, or, if there is an element of gradualism in your concept of building socialism or even if we oppose socialism altogether as Mr Piloo Mody very much likes to, even then, in his reign and in his Prime Ministership, the population will go on rising and he will be just wiped out of the surface of politics because he is not capable of understanding

He will not understand the problem, the basic problem which faces us. He is one of those people who does not understand the basic problem that faces us and, therefore, I need not go into it. But the fact is that we have done things which go to our credit; the Government really deserves credit. Especially in the last few years, as was indicated by my friend the other day, during this abnormal situation that we were faced with, after drought, after the war, and after many other serious problems, the Government did the best that was possible for them to do. But for the fact that in this pattern of socialism an parliamentary democracy we have to reckon with weaknesses like Piloo Mody or others, we could have gone faster; we have to go slow—

SHRI PILOO MODY (Godhra): Eliminate us.

13 hrs.

SHRI K. D. MALAVIYA: You will be eliminated; I have not the least doubt about it. I stand here, and I want to submit—of course not physically eliminated because you do not count and he does not count for anything that his system will be eliminated; it has gone out of recognition. Nobody recognises it; he is a non-entity so far as politics is concerned But I do not want to discuss him. The system in which we are working, the parliamentary system of democracy where we have to reckon with the feudalistic thinking habits of people and its shortcomings and gradualness make our progress inevitably slow Even though the Prime Minister wishes to go faster, she cannot. Even though this party wants to purify the system of elections it cannot. We will not be able to do that, inspite of Mr. Madhu Limaye talks of political non-sense; let him pick and choose leaders to make things temporarily inconvenient for us, by going to Lucknow and holding conferences. He is plunging into a see from which he will never be able to come out. He claims to be a socialist yet he goes on conducting talks with people like Charan Singh, C. B. Gupta and others. I am not warried about that. But, indeed, I am worried about certain aspects of which I shall speak, which I should like the Treasury Benches to make a note of these. These are by way of constructive suggestiness; I hope it will not be misunderstood.

The installed capacities in the country are not being utilised. There is no reason why we cannot go faster towards achieving complete production, or at least very near the installed capacity.

Take for instance, cement. I feel sore about the lack of awareness on the part of those who are responsible for increasing the production of cement. We build most of our roads with bitumen. There can be a marginal reduction of bituman production in our refineries and part of that bitumen can be diverted to production of fuel oil in the country which is so very badly needed in the country. Instead we can increase the production of cement. Let there be cement-concrete roads throughout the country; they will be durable. More employment opportunities will be created. I say this because cement is a product which can be produced cent per cent indiganously. The Plants are manufactured in India; the limestone is here. We must have therefore more plants for the manufacture of cement.

Now let me refer to certain aspects of petroleum products. The new Minister has come with a bang. I congratulate him for showing more dynamism. Perhaps he will be able to show much better results than what had been shown previously.

Unless the Government make up their mind quickly and formulate an energy policy, they will not be able to solve the problem of scarcity of petroleum products. Unfortunately the

[Shri K. D. Malavaya]

production of coal is being delinked from petroleum products and the increasing demand for importing crude oil.

13.04 hrs.

[Shrimati Sheila Kaul in the chair]

I shall just read out to you from the latest Petroleum Intelligence Weekly wherein, by an executive order of the White House, the President, Mr Richard Nixon, has appointed a Sub-Committee on Energy, thereby drawing the attenion of the people of America to the great urgency of forming an Energy Commission which will specifically to go into the urgent problem of formulating a policy for energy whereby coal will have to be produced much more. We shall have to take note of the scarcity of fuel oil After all, fuel oil, gas etc come from the crude oil. If we go on consuming crude oil like that and go on switching on for instance, to diesel engines as was done previously—consumption of diesel oil by diesel engines and switching on to fuel oil to make it as feed-stock for our future fertiliser plants—then, no doubt, in another 12 or 13 years, whether we like it or not, our import of crude oil will increase to about 40-45 million tons And by the time we import 45 million tons of crude oil, the prices will have shot up to 4.5 dollars per barrel. That means we will have to spend about 2,000 or 1,800 crores of foreign money on imported crude oil in order to maintain the consumption throughout the country for various purposes from (a) to (7) I may tell you that it will be a most disastrous thing

SHRI PILOO MODY: Why is there shortage of crude?

SHRI K D MALAVIYA Because, I admit we have failed to go ahead with the programme of oil exploration I have no doubt that this country possesses much more oil than what it has produced so far. This country, by on-shore and off-shore drilling, should have produced by now much more oil Anyway, we are going to do that now. We should soon produce it. If we do not produce it, we shall have to import it.

The point I am trying to make out is this that we should go ahead, producing more and more of coal. Here I shall just read out what has been done by an advanced country like America which cares a lot about pollution, which is becoming global one of problems. President Nixon has said in his Energy Report to the House the following —

> "If we insisted upon meeting both primary and secondary clean air standards this would force an increase in demand for oil of 1.6 million barrels per day"

He further says:

> 'This oil would have to be imported, with an adverse effect on our balance of payments of some $16 billion or more a year Such a development would also threaten the loss of an estimated 26,000 coal mining jobs"

Now, here is a case where the most advanced country is advocating such a big increase of coal production. Their programme now is to produce 900 million tons of coal per annum, of about 585 million tons they are using 450 million tons of coal to-day to generate power We are producing 70 million tons of coal for all purposes. Our western thermal power stations run on gas and fuel oil This is nonsense I warn the Government that if we do not come back to coal, then a day will come when we will have to face an economic situation which we will not be able to successfully combat We must now form a national policy on energy This question has been receiving the attention of the Government for long Why are they delaying?

कुछ लोगों का ख्याल है कि जितनी बात वे समझते हैं, वह सही है और जो बात दुनिया समझती है, वह गलत।"

In our bureaucratic system, we have the lower broad base, the then higher base and vertically you come up to the Minister. They always think that they are right in their mood of complacency. We have not been able to come to the right decision because we have been making mistakes and delaying decisions. Delay in taking decision is very harmful. But I am glad Government is now thinking at the highest level of appointing high-powered committees and commissions to take decisions expeditiously Even wrong decisions are better than no decisions. You take a wrong decision, you can change it, but please don't delay taking decisions.

We are working today at the field level which is commendable. No other Government, I am quite sure, under the circumstances could have done better But though the basic issues involved have been considered by the Government, they have not yet taken any decisions on them. Take the question of decentralisation of our pattern of administration. No corner in the country has been found as clean as Mr. Piloo Mody or myself or the Government would like it to be. There are evils rampant everywhere With that background, if we really want to reach our objective, why not transfer power to the people's representatives, say, at the district level? What is there in one District Magistrate who is the sole repository of power at the district level, who can sit upton a decision, persuade the minister to withdraw a decision or cancel a correct decision? I think it is high time Government started quickly decentralising this power. If they think people have been wrongly elected, let Government form a panel of really good non-official people and transfer power and responsibility to that panel About 30 years ago I suggested to our great and able leader, Shri Govind Ballabh Pant, to take courage and start transferring power at the district level to non-officials picking out people and giving them training under the District Magistrate. At that time, in U.P. a political leader—Shri Sri Krishna Dutt Palliwal—was made the Chief of the Rural Development Office and he did much more work within a year compared to what the officials did subsequently in five to ten years' time. I, therefore, appeal to Government to consider this if we want to reach our objectives. We can really ignore many of the other things said by the opposition, but we cannot ignore this aspect of decentralisation to be brought about at the base. Many basic concepts already arrived at by the Government deserve a change. The quicker we decide upon changing some of these basic decisions, the sooner we will be able to reach our objectives. There has to be a sense of urgency, which I am sure to being realised by Government But they are bogged down in a methodology which has now proved to be completely ineffective and useless.

MR CHAIRMAN: Shri Piloo Mody. Seven minutes have been allotted for his party.

SHRI PILOO MODY (Godhra): Madam, you may stretch it a little, not much.

Madam Chairman, I must admit that I was rather surprised with the latter half of Shri Malaviya's speech, because it went way beyond his philosophy. He all of a sudden became practical and sensible and quite obviously discarded his ideology and allowed his mind to think rationally about humanity. For that second half I thank him. A great many of the things that he has said are correct. A decision not taken is the worst crime that one can commit in this country and, therefore, even wrong decisions are preferable to no decisions at all.

He also said that he was very happy now that a great deal of thinking was taking place at the highest level. I could not disagree with him more. No thinking is taking place at the highest level at all, particularly as far as the development of the country is concerned, because all energies,

[Shri Piloo Mody]

all thinking, all time is employed only for one purpose, and that is politics, and that too as to what will be its ultimate effect on the elections that are coming up in U.P. I make bold to say that the Government of India does not even sneeze without considering first what its effect will be on the U.P. elections! Therefore, all this big talk about high thinking in high places should be completely washed off and we must tell the people this is what they are doing.

Yesterday we heard the Prime Minister hysterically crying in U.P. about how she wanted to help the poor and how the vested interests, if I may quote....

SHRI S. R. DAMANI (Sholapur): Sir, the hon. Member while referring to the Prime Minister used the word "hysterically" I think it is not parliamentary.

SHRI PILOO MODY: I say that the Prime Minister, hysterically shrieking from Kanpur, said how the vested interests, which incidentally includes me, were preventing the social and economic transformation. Madam, I really marvel at this sort of hysterical pronouncements. Here we are seven of us, at the moment only two; three they are 350 added by God knows how many on the Communist benches Here are seven, or the two out of seven, that are preventing his great revoluion from taking place. I sometimes wonder about the credibility that this sort of thing and how it can pass muster among the peoples of this country.

There is another thing. The Prime Minister has asked prominent legal experts and lawyers to think how the poor can get justice. Madam, the Law Commission's Report fifteen years ago made certain recommendations, very important recommendations about which I will talk later today. Very important recommendations were made as to how justice can be made cheaper. Unfortunately, the Government of India never read that important part of the Law Commission's report. They only read and understood the little bit which says that seniority need not necessarily be the reason for appointing judges, and that also forgetting the second half which said that merit should be taken into consideration. That is the only part of the Law Commission's Report that ever registered or became operative. I do not know why we spent so much money on that Law Commission, because it very clearly states how justice can be made cheaper for the poor people, about whom the Prime Minister from morning to night cries but does not know what to do about it. None of it has been implemented. It was suggested that the extortionate fees that are charged as court fees and stamp duties may very well be brought within the means of the people so that they an afford it, but all that has also been conveniently forgotten.

Now we talk about the eradication of poverty. It seems to be the central theme. All of us are concerned about it. But mere concern is not enough. It is necessary to know how does one proceed in eradicating poverty. If you were listening to Shri Malaviya, it is quite evident that he does not know it; if you were listening to Shri Chavan, it is quite evident that he does not know it. If you were to listen to what Srimati Indira Gandhi was saying, hysterically shrieking; it is obvious that she does not know it. So, there must be somebody in this country who knows. When I say I know, they all start jeering.

Madam, what I want to say is that there are methods, very simple methods, of eradicating poverty. Poverty can be eradicated by increa-

sing the productivity of man. There is no other way by which poverty can be eradicated. It may be a socialist country, a capitalist country or a country on the moon, poverty cannot be eradicated except by improving man's productivity by giving him improved tools and the necessary minimum knowledge to use the improved tool. You read the Five Year Plans, you read the outlines of the Plans, you read the Economic Survey, you read the budget speeches, you examine the Budget, in none of these you find any indication that the Government has even begin to think in the direction of eradicating poverty. What is the point in misleading the whole nation when they do not implement the necessary structural and institutional methods by which poverty can be eradicated?

Take the case of minimum application of technology. A man digs 100 cu. ft. in the course of the day and he gets Rs 4/- per day. There is no way except to teach him to dig two brass so that with the same amount of effort he can earn Rs. 8/- per day with a simple tool with the application of technology and by giving him the necessary education to use it.

SHRI K. D MALAVIYA: Do you honestly think that it is not being done?

SHRI PILOO MODY. I honestly believe that poverty has increased, unemployment has increased, the prices have increased. There is no cement, no food, no steel, no oil, no coal, ther is nothing. Nothing is working. He himself complained that the industry of the country is not functioning. Public Sector makes no profit, and he says that the Government has dealt with these things in the best possible fashion I am not prepared to listen to these excuses.

SHRI K. D. MALAVIYA: Population and education are increasing and thereby unemployment is increasing.

SHRI PILOO MODY: So is the stupidity of the Government which is increasing. Do some work instead of doing every thing towards the U.P. election. Government is a serious business.

80 per cent of our people live in the countryside. There was a time when the village was economically a viable unit. Today it cannot sustain itself. You have to find an economically viable unit in the countryside. All the money should be diverted towards making the rural economy viable. But nothing is being done, and you talk about the eradication of poverty.

The Finance Bill comes every year. It is an exercise in total futility. The Minister makes a few appropriations, gives a little to him, a little to the other and at the end he comes and gives a sugar coating by accepting Rs. 2 crores taxation relief and the whole exercise goes on. I appeal to Shri Chavan, kindly show some concern for the ultimate prosperity of the country, and next time when you come before the House, and I hope you are still there, come up with proposals which will not only increase your resource position but will also divert these resources into the avenues which will help the people of this country and not merely the statistics and the future of those who are in power.

SHRI DINESH SINGH (Pratapgarh): Madam, chairman, while rising to support the Finance Bill I should like to point out certain aspects of the policy which I consider are basic. I am conscious of the difficulty I am facing, since I am following my friend Shri Piloo Mody, and I have to make a herculean effort to restore this House back to some resiousness.

I must say, I am somewhat dismayed at the lack of a coherent taxation policy in the Finance Bill pre-

[Shri Dinesh Singh]

sented by the Finance Minister which, in fact, reflects a certain amount of vagueness of our economic policy as a whole The Finance Minister had said at the end of his Budget Speech

> "The Budget of the Central Government is not merely an exercise in balancing revenue and expenditure Its primary role today is to be a major instrument for the realisation of our basic social and economic objectives"

Our declared and basic social and economic objective is to usher in a socialist society through peaceful means I had expected that in this voluminous document which has been given to us there would be a clear indication of how this transformation will take place When I had a look at it again I felt that there was something which was seriously missing

What is it that we are trying to do? When we say that we are going to usher in socialism through peaceful means, one of the most important implement is the application of an economic policy, which will bring about this transformation. What is a socialist taxation policy? I can do no better than quote from a distinguished Soviet economist, Mr N Yermolovich He says:

> "The budget of a socialist state differs radically from that of a capitalist one. The basic differences in these budgets proceed from the diametrically opposite social systems in these states, and from the absolutely different functions of a socialist and capitalist state For in a socialist state, the land with its mineral wealth, the plants, factories and the banks, belong to the entire people in the person of the state That is why major expenditure of the state are ensured by the profits from the state-owned enterprises. In capitalist countries, the main source of income of the state budget is taxation, and in the socialist countries—profit from the national economy"

He goes on to give an example that in the Soviet Union, the contribution of taxes before the October Revolution that is under Czarist Russia, was 62 per cent and this in 1965 came down to less than 7 per cent and 91 6 per cent of the revenues were derived from the profits of State enterprises.

Now, this is a clear direction which we have to give to our economy if we mean to bring in socialism in any serious manner What is it that we have done in this country? I am giving this merely as an example not of any failure as such but as an example of a need to transform this system It is not terribly relevant, what has happened in the past except to learn from it and see what can be done today to make the necessary changes

In 1947-48, the year of our Independence, our realisation from taxes was Rs 206 8 crores In the proposed Budget which the hon Finance Minister has presented to the House, this goes up to Rs 5113 crores In 25 years, this has been increased by 25 times I can apreciate that we are not yet a socialist State We are running a mixed economy In a mixed economy, it is necessary that we have a measure of taxation at least on the private sector. Even so, what is it that we have done to shift emphasis? What have we done to raise resources from state-owned enterprises? What have we done to put a bigger burden on the private sector? As you would have seen, there has been no increase in corporate taxation this year There has been no burden on the private sector in an effort to derive more revenue from a sector which will enventually dimi-

nish as we move more towards socialism. On the other hand, the entire emphasis is still on taxation from the people as such. Therefore, ther has to be an essential shift from this, a change in the taxation system, so that items of mass consumption are available to the people free of all taxes and the tax burden is borne by the luxury items or items beyond what are called items of mass consumption. Only then we can attempt to have any saving. We talk of saving But when we find that the rate of taxation is going up, when we find that the money supply is going up, when we find that shortages are inreasing, where can there be saving? Savings automatically get washed out. No economy can be built on a basis of saving when the whole system of saving is corroded by the fall in the buying power of the currency that continues. Therefore, we have to divert our attention to a system which would be meaningful considering the direction in which we would wish to move.

Talking of the public sector, it is a sector which belongs to all of us; it belongs to the country as a whole. Therefore, whether it is Mr. Piloo Mody on that side or any of us on this side, it is our common concern to see that they function well and they occupy an important position in our national economy I am not talking of the enterprises which have not become operational. I am not even taking of promotional or departmental enterprises. We have, or would have very shortly, invested Rs. 2,300 crores in public sector enterprises which would have passed beyond the gestation period. Now it is normal for us to expect that, even according to the standards that we allow to the private sector, they should earn a minimum of 15 per cent, they should give us per annum a profit of Rs. 350 crores. But, on the other hand, when we see the Finance Ministry's report on this, we find that they have run into a cumulative loss of Rs. 15.16 crores. Instead of earning a profit of Rs. 350 crores, we have made a loss of Rs 15.16 crores. The country as a whole, in this process, has lost Rs. 365 crores last year. The point is this. Who is answerable for it?

SHRI PILOO MODY: Government.

SHRI DINESH SINGH: The difficulty is this. On the one hand we say that bureaucracy in this country has failed us; it cannot function, it does not function And, on the other hand, we hand over all these enterprises to the same bureaucracy to be run. Then how can we expect anything better there? We have brought in no professional management. Despite what my friend, Keshav Bhai, has said, I am doubtful of the level of technology. That apart, there has to be the element of accountability. I would like to know whether the Government have a system by which they are able to know each year what the profit or loss is and why it has been so, whether any accountability exists or whether anybody has asked any question and whether the Government can be made accountable to this Parliament for these public sector enterprises. Leaving aside the political aspect and the question whether the Government have failed or not in the past, every year the House as a whole can examine these public sector enterprises without any question of political element in it.

Now, apart from these public sector enterprises, we are suffering under what we call the economy of shortages, artificially created. When we grow a little more sugar cane or whenever there is a little more cotton, we hear a hue and cry in this country. Everybody rushes and says, 'We have over-production. We have never faced over-production in this country' Because the economy is in the hands of a few big business houses

[Shri Dinesh Singh]

whose interests lie in creating shortages so that they can get better profits; so, whenever the primary producer is able to produce something more, they are worried that the prices will fall and immediately all kinds of artificial mechanism are brought into operation to see that the farmer and the primary producer do not get their share. How can we increase the raw materials production in this country unless we assure the farmers not only a remunerative and equitable price but also stable profits over a period of time? In a controlled economy as we have it, there is no difficulty in assuring the farmer and the primary producer that he will get a fixed profit irrespective of the vagaries of nature. Otherwise there is no meaning of a controlled economy. It is then better to leave it to the market forces having their full play and enable the primary producers to get as much profits as they can. But we have not even thought of crop insurance because there is the hold of the big business on our economy. We talk of loosing of their hold. There have been commissions after commissions going into it and then we find that their net assets have increased, licenses to them have increased. Can we not request the Finance Minister to tell the House what is the Government's policy towards big business? It is not enough to say that they will only go for core industries or into the backward areas. The other day the Finance Minister was very kind and gave a reply show how LIC has benefited the big business. Then I raised a question as to how many of the projects have gone into backward areas. He said.....

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I presume, I said.

SHRI DINESH SINGH: The Finance Minister of India cannot presume on economic matters. He must have facts. I would beg of him even today to have a look at this list and tell us how much of it has gone into backward areas I doubt whether there is anything worthwhile that has gone into backward areas.

There is no point in laying down Government policies and then at the end to say that they do not materialise, thereby creating a kind of credibility gap in the country. I would rather expect the Government to say that big business is there, it has to be utilised, it has to be channelised into certain lines—and let us see to it that it functions within those limits —instead of saying that we have stopped big business when we see that disparity, even through control over the economy, is increasing. Therefore, I would urge on the Finance Minister to kindly let us know how he proposes to tackle two rather three things—our movement towards socialism, the taxation policy, the economic policy—control over big business —and the moving of our economy from one of shortages to an economy of surpluses

Now, I do not have to remind as to how seriously shortages are increasing. I have got figures here, but the Chair's finger is on the bell, so I would not wish to tax its indulgence I would say we have to concede that the *per capita* availability of articles of mass consumption is going down. It has gone down considerably in the last two years. On the other hand, money supply has increased at the rate of 12 to 13 per cent. Obviously, it will lead to high prices How can you control that unless you make available at least goods of mass consumption? If we think in terms of helping the weaker sections of the society this is possible only if the State takes over both the production and distribution of all items of mass consumption and ensures that they are available to the people at stable prices and that the

farmers and the primary producers get their share from it.

*SHRIMATI BHARGAVI THANKAPPAN (Adoor): Mr. Chairman, Sir, taking part in the debate on the Finance Bill I would like to mention that we must consider how much the common people of our country have benefited after attaining independence. What we see today is rise in prics of essential articles, unemployment, shortage of water and power cut as a result of which the common people are not able to have two square meals a day. The Government should consider why this situation is there in the country. They should take immediate action to improve the condition of the common man in the country.

Sir, ours is an agricultural country. Our farmers are ready to do their best to improve production. But what has the Government done to protect the interests of the farmers? Our people are suffering a lot and they are not able to make both ends meet. The farmers are not able to get loans on easy terms. It is really a regrettable matter. The Government should take immediate action to see that our farmers get loans on easy terms.

Without proper irrigation facilities how can the farmers improve production. The Rajasthan Canal, the Idikki Dam, the Kallada project and many other projects in our country which were undertaken by the Government have not been completed so far. As a result of that the farmers are suffering under drought and flood conditions.

Sir, I do not want to speak on the basis of the figures supplied by the Government. I can only speak from what I see in my constituency. The coir industry and cashew industry are in the hands of big businessmen. These businessmen exploit the workers. In the Quilon District, from where I come, due to non-availability of raw cashew nuts many factories have been closed with the result many workers are unemployed and they are living without food.

It is the financial policy followed by the Government that is responsible for this. Small-scale industries should be given loans and grants by the Government. New factories should be started in almost all backward areas so that the people can be employed. The Government should set up a financial institution for this purpose. Then only our common men and poor people will be able to derive some benefit.

Every year our people are faced with the problem of shortage of food. This is not a thing which started yesterday or today. Our agriculture was always depending on monsoons. Why the Government has not provided proper irrigation facilities till today? Where there are no hydro-electric projects the Government should set up thermo-electric projects. It is because the Government has not paid enough attention in this direction that the people are still suffering and many are unemployed.

Some projects have been started by the Government. In the Cochin Shipyard the people of Kerala have been demanding a super-tanker-berth, but no attention has been paid by the Government. We have finished the Fourth Plan and we are going to start the Fifth Plan. The Precision Instruments Factory and the Newsprint Factory which were promised to be started in Kerala are still in the dark. Unemployment in Kerala as well as in the country as a whole has reached its peak. People of Kerala are going about in different parts of the country in search of jobs. They

*The original speech was delivered in Malayalam

[Shrimati Bhargavi Thankappan]

are becoming impatient. There is shortage of power in the country and due to power cuts many factories are closed for two or three days in a week. It is the workers who suffer and they do not get even one meal a day.

Sir, the black market money hoarders exploit the agricultural labourers and they have created an explosive situation. The prices of essential commodities have risen very high and the common people find it difficult to make both ends meet. Only if the Government comes forward with necessary legislation to check the rise in prices the poor people can be protected. The Government should take over the wholesale trade and distribute the essential commodities through fair price shops at reasonable prices. Kerosene, sugar, gas, soap, cotton and other commodities should be made available to the poor people. Excise duties and other taxes on these commodities should be removed and imposed on luxury goods so that the poor people of our country will be able to get their needs.

The Government should create a situation where the poor people are able to have at least two square meals a day. If such a situation is not created what is the meaning of socialism. The policy in respect of distribution of essential commodities should be changed. When the Government takes over the wholesale trade of foodgrains more attention should be paid to the deficit States. States like Kerala, Bihar and Maharashtra which are deficit States should be given higher quotas of foodgrains. Recently I found a Press report that the supply of rice to Kerala is going to be reduced and more wheat is going to be given. Sir, the people of Kerala live on rice. Rice is their staple food and if the supply of rice is reduced they will not be able to live. They want only rice and the Centre should give them more rice. The people of Kerala are living in the hope that the Central Government will take necessary action to give them more rice. My request is that the Government should not hesitate to take the necessary action at an early date.

There should be a re-thinking on the economic policy of the Government. The arrears of income-tax should be realised immediately and stringent measures should be taken against income-tax evaders. Only if this is done we can check the rise in prices and the poor people can have a comfortable living. When lakhs of people are unemployed, when lakhs of people are not having two square meals a day, when lakhs of people are not having huts to live in, how can we usher in socialism. We can only remove poverty by implementing socialist programmes. If there is any delay, I want to warn the Government that the situation will become explosive and the Government will not be able to meet it.

श्री राजदेव सिंह (जौनपुर) : मैडम चेयरमैन, सब से पहले जो आप ने मुझे बोलने का मौका दिया वित्त विधेयक पर उस के लिए मैं आप को धन्यवाद देता हूं। इस में कोई शक नहीं कि देश में कृषीय उद्योग के मामलों में काफ़ी तरक्की हुई है। लेकिन कृषि की तरक्की को ग्रीन रिवौल्यूशन कहा जाता है वह हमारी समझ में हरित क्रान्ति नहीं है। सिर्फ़ गेहूं में और मक्के में क्रान्ति हुई है। अभी वह क्रान्ति चावल में नहीं आयी है और मोटे अनाजों में नहीं आयी है।

इसी तरह से उद्योग के मामले में बहुत से उद्योग खुले, काफ़ी उन्नति हुई। लेकिन पर कैपिटा कनजम्पशन, अभी स्टील मिनिस्ट्री की जो रिपोर्ट हमारे सामने

आयी उस से पता चलता है कि हमारे देश में 10 किलोग्राम है। और यह 15 साल से लगातार यही फ़िगर आ रही हैं 10 किलोग्राम पर कैपिटा यूटिलिटी स्टील की, जब कि वर्ल्ड एवरेज है 150 किलोग्राम। तो बहुत फर्क है। हम कितने दिनों तक वहां पहुंचेंगे दुनिया के और देशों के मुकाबले में ?

शासन द्वारा टैक्स लगाने का मतलब होता है कि धनिकों की जो विलासिता की चीजें हैं उन पर ज्यादा से ज्यादा टैक्स लगाना और गरीबों की जो आवश्यकतायें है उन्हें उस टैक्स से बरी रखना। गरीबों को मकान की जरूरत पड़ती है, भोजन की जरूरत पड़ती है, वस्त्र की जरूरत पड़ती है, स्वास्थ्य के लिए दवाओं की जरूरत पड़ती है, शिक्षा, मनोरंजन की जरूरत पड़ती है। देश में 50 फीसदी लोगों को स्वस्थ रहने लायक मकान नहीं है। यह हालत है। वस्त्र कम है, शिक्षा भी नहीं के बराबर है, मनोरंजन का कोई साधन नहीं है। यह गरीबी की हालत है। इस से साफ़ जाहिर होता है कि देश के 19 फ़ीसदी परिवार जो ड्वैलिंग स्पेस है उन के पास उस के अनुसार 19 फीसदी फ़ैमिलीज के पास 10 स्क्वायर मीटर से कम जगह है। 54 फ़ीसदी लोगों के पास ड्वैलिंग स्पेस 20 स्क्वायर मीटर से कम है। सिर्फ़ 27 फ़ीसदी लोग हैं देश में जिन के पास आरामदेह जगह और मकान हैं।

अब इस पृष्ठभूमि में कल्पना कीजिए कि 25 सालों में यहां तक हम पहुंचे हैं जब कि यह भी नहीं भूलना है कि इस सदी के अन्त तक देश के कुछ विद्वानों का मत है कि हमारी आबादी 55 करोड़ से 110 करोड़ होने वाली है। तो हमें दुगने मकान चाहियें जितने मकान आज है उन से, दुगने स्कूल चाहियें, दुगने अस्पताल चाहियें और दुगने भोजन की व्यवस्था भी चाहिए। यह किस तरह से होगा समझ में नहीं आता है।

अर्थ शास्त्र का नियम है कि जहां गरीबी रहती है वहां आबादी बढ़ने का अनुपात ज्यादा होता है और अगर गरीबी हमारे देश की जल्दी से जल्दी नहीं खत्म की गई तो कितनी आबादी बढ़ेगी, यह अन्दाज कर के हमारी समझ में नहीं आता है कि आगे क्या होने वाला है। शहरों और गांवों में आज मासिक उपभोक्ता व्यय 37 रुपये 20 पैसे होता है, लेकिन आधे से ज्यादा लोग केवल 12 रुपये 30 पैसे मासिक खर्च करने की कैपेसिटी रखते हैं। गत तीन हफ्तों के भीतर बिहार में स्मालपाक्स से 400 व्यक्ति मरे है। अगर उन के पास डाक्टरों की फ़ीस देने के लिए और दवाओं के पैसे होते, तो शायद इतने लोग न मरते।

14 hrs.

मेरे पास एक समाचारपत्र का कटिंग है, जिस में कहा गया है कि बस्तर जिले के दक्षिणी हिस्से में मध्य प्रदेश और आन्ध्र प्रदेश की सरहद पर—प्रेस रिपोर्ट में गांव का नाम नहीं है— लोगों को भूख लगी और उन्हें खाने के लिए कुछ नहीं मिला, तो उन्होंने मिट्टी खाई और एक घंटे बाद उन की मृत्यु हो गई। मैं यह कटिंग वित्तमंत्री महोदय को देना चाहता हूं, ताकि वह इस बात की जांच करायें कि क्या यह बात सच है। अगर यह बात सच है कि जब लोगों को खाने को कुछ नहीं मिला, तो उन्होंने मिट्टी खा कर पेट भर और एक घंटे के बाद मौत का शिकार हो गये, तो हमारे लिए यह शर्म की बात है। अगर यह बात ग़लत है, तो यह

[श्री राजदेव सिंह]

बड़ी खुशी की बात होगी। वैसे, इस न्यूज ने अखबार में छप कर जो भी शरारत हो सकती थी, वह कर दी है।

आज अमरीका और दूसरे देशों की बातें होती हैं। लेकिन अमरीका में जिस खेतिहर परिवार की वार्षिक आमदनी 21,000 रुपये तक होती है, वह गरीब माना जाता है। हम उस स्थिति तक कब तक पहुचेंगे? जिस खेतिहर परिवार की वार्षिक आमदनी 21,000 रुपये तक हो, वह अमरीका में गरीबों की श्रेणी में आता है, लेकिन हमारे देश में वह बहुत बड़ा अमीर परिवार माना जाता है।

आज लाखों नहीं, बल्कि करोड़ों लोग काम करना चाहते हैं, लेकिन सरकार उन को काम नहीं दे पा रही है। अनएम्प्लायमेंट की जो फिगर्ज एम्पलायमेंट एक्सचेंजिज के जरिये आती हैं, उन में बड़ा धोखा होता है। बहुत से लोगों को उन दफतरों का पता ही नहीं है। गावों में खेतिहर परिवारों के पास एक आदमी के खेती करने लायक जमीन है जबकि तीन भाई नौकरी चाहते हैं, लेकिन उन को काम नहीं मिलता है।

सेंट्रल गवर्नमेंट प्रति-वर्ष अपने एम्पलाईज को 200 करोड़ रुपये से ज्यादा ओवरटाइम एलाउंस देती है। मेरे एक प्रश्न के उत्तर में बताया गया कि पी० एण्ड० टी० डिपार्टमेंट ने पिछले साल अपने कर्मचारियों को 10 29 करोड़ रुपया ओवरटाइम एलाउंस के रूप में दिया। एक अन्य प्रश्न के उत्तर में वित्त मंत्री ने बताया कि सब मिनिस्ट्री साल में कुल मिला कर 200 करोड़ रुपये से ज्यादा सरकारी कर्मचारियों को ओवरटाइम एलाउंस के रूप में देती है।

ओवरटाइम एलाउंस देने के दो मतलब हो सकते हैं। या तो काम इतना ज्यादा है कि सरकारी कर्मचारियों की जो स्ट्रेंथ है, उस से वे उस को नहीं कर पाते हैं। तब तो उस 200 करोड़ रुपये से हम कई लाख लोगों को एम्पलायमेंट दे सकते हैं और सरकार को इस बारे में सोचना चाहिए। या फिर ओवरटाइम एलाउंस प्राप्त करने के लिए गो स्लो—धीमे काम करने और काम बकाया रखने—की पालिसी अपनाई जाती है। केन्द्रीय सरकार और स्टेट गवर्नमेंटस के द्वारा ओवरटाइम एलाउंस के रूप में जो रकम दी जा रही है, उस से दस लाख से ज्यादा लोगों को प्रति-वर्ष नौकरी दी जा सकती है।

कानून के सामने सब बराबर है, लेकिन फिस्कल कानून के सामने सब बराबर नहीं है। इस देश में 338 जिले हैं, जिन में से 128 जिले ऐसे हैं, जहां पीने के पानी का कोई इन्तजाम नहीं है—जो प्यासे जिले हैं। हमारी सरकार कब तक उन के लिए पीने के पानी का इन्तजाम करेगी यह समझ में नहीं आता है।

विल्लेज कम्युनिटी के वीकर सैक्शन्ज के सम्बन्ध में 1960 में श्री जयप्रकाश नारायण की अध्यक्षता में एक स्टडी ग्रुप बनाया गया था। उस ने 1961 में यह रिपोर्ट दी है कि 40 से 50 फीसदी तक रूरल हाउसहोल्ड्ज की वार्षिक इन्कम 500 रुपये से कम है —और एक हाउस-होल्ड में सात, आठ, दस, ग्यारह सदस्य भी हो सकते हैं, वह ज्वायंट फैमिली हो सकता है —, 20 प्रतिशत रूरल हाउस-होल्ड्ज के पास कोई जमीन नहीं है और 25 प्रतिशत के पास एक एकड़ से कम जमीन है। यह है हमारे देश की गरीबी का चित्र! ग्यारह वर्ष के बाद भी बातों को देख कर

कहा जा सकता है कि हालत में कोई खास परिवर्तन नहीं हुआ है ।

जिन लोगों की संख्या लाखों नहीं, बल्कि करोड़ों में है, उन को काम देने के लिए सरकार ने फ्रैश प्रोग्राम के अन्तर्गत केवल 50 करोड़ रुपया दिया है । इस रकम से उन को काम कैसे दिया जा सकता है ? 100 करोड़ रुपया शिक्षिकों के लिए रखा गया है । इस मे किस तरह काम चलने वाला है, यह समझ मे नही आता है । बेकार शिक्षिको की समस्या इस लिए ज्यादा सामने आती है कि वे अधिकतर कस्बो और शहरो मे कानमे-न्ट्रेटिड हैं और वे ज्यादा बोकल हैं, उनको ज्यादा चिल्लाने की आदत है । लेकिन गावो में जो ग़रीब और अनपढ आदमी काम या नौकरी चाहते हैं, जो चिल्लाते नही हैं, उन की कितनी संख्या है, यह आम ग़रीबी को देख कर हम समझ सकते हैं ।

हमारे देश मे बहुत सी ऐसी स्टेट्स हैं, और उन स्टेट्स मे बहुत से ऐसे क्षेत्र है, जो इकानोमिकली बहुत बैकवर्ड है । प्लानिंग कमीशन में बैकवर्डनेस की अलग अलग परिभाषा की जाती है, यह मैं जानता हू । अगर आदमी के पास ज्यादा अक्ल हो जाये, तो वह लाजिक से लोगो को कनफ्यूज करने की कोशिश करता है । लेकिन हमे मोटी बात यह पकडनी है कि एक आदमी की साल मे औसत आमदनी कितनी है । उस की आर्थिक स्थिति का अन्दाज करने के लिए यह मापदंड होना चाहिए ।

श्री एम० सत्यनारायण राव (करीम० नगर) : सभापति महोदय, इतना इम्पार्टेन्ट डिसकशन हो रहा है, लेकिन हाउस में बीस आदमी भी नहीं हैं । हाउस में कोरम नही है ।

सभापति महोदय : घण्टी बजाई जा रही है—अब कोरम हो गया है । माननीय सदस्य अपना भाषण जारी रखें ।

श्री राजदेव सिंह : सभापति महोदय, मैं यू० पी० के पिछड़ेपन की बात कर रहा था । मैं इस सम्बन्ध में आप के सामने कुछ आकडे रखना चाहता हू ।

यू० पी० को फर्स्ट प्लान मे जो सेंट्रल असिस्टेंस मिली उसका पर कैपिटा आउटले 24 रुपये हुआ जब कि हिन्दुस्तान भर का एवरेज 41 रुपये था । इस से साफ जाहिर है कि हमे कम मिला । इतना ही नही, पजाब का 98 रुपये था, गुजरात का 57 रुपये और वेस्ट बंगाल का 55 रुपये था । इस तरह मे फर्स्ट प्लान मे यू० पी० को इग्नोर किया गया । दूसरे प्लान मे पन्द्रह स्टेट्स मे यू० पी० पन्द्रहवें नम्बर पर था सेंट्रल असिस्टेंस के मामले मे । इस से भी साफ जाहिर होता है कि किस तरह से सेकेण्ड फाइव ईयर प्लान में भी यू० पी० की सेंट्रल असिस्टेंस के मामले में उपेक्षा की गई । थर्ड प्लान मे 16 स्टेट्स हो गई उन मे यू० पी० पन्द्रहवे नम्बर पर था सेंट्रल असिस्टेंस के मामले में पर कैपिटा आउट-ले के हिसाब से । चौथे प्लान मे यू० पी० का० 120 रुपये पर कैपिटा आउट-ले था जब कि सारे हिन्दुस्तान का एवरेज 126 रुपये था और उस में हरयाना का 224, पजाब का 217, महा-राष्ट्र का 178 और गुजरात का 170 था । यह चौथे प्लान की बात मैं कर रहा हूं । तो आप देखेंगे कि लगातार चार प्लान्स में सेंट्रल असिस्टेंस के मामले में यू० पी० की उपेक्षा की गई है और उस की वजह से आज यह हालत है कि 1970–71 में

[श्री राजदेव सिंह]

पर कैपिटा बिजली का कजम्पशन यू० पी० में 58 के०डब्लू०एच०था जब कि सारे देश का एवरेज 90 के० डब्ल० एच० था। यह साफ जाहिर करता है कि हम कितने पिछडे हुए हैं।

इतना ही नही, यू० पी० एक बहुत बडा स्टेट है। 9 करोड उस की पापुलेशन है। एक लाख से ज्यादा गाव हैं। उस में 35 प्रतिशत गाव ऐसे हैं कि न तो वहां पहुंचने के लिए कच्ची सडक है न पक्की सडक है, बिदाउट एनी रोड वह हैं। 39 प्रतिशत गाव ऐसे हैं जो कच्ची सडको से कनेक्टड हैं। नेशनल सैम्पल सर्वे की जो लेटस्ट रिपोर्ट है उस का कहना है कि

"60 per cent of U P population has per capita consumption at 71-72 prices below Rs. 37."

सभापति महोदय आप सात मिनट ज्यादा बोल चुके हैं। मेहरबानी कर के खत्म करिए। बहुत ज्यादा वक्त हो गया है, आप दूसरे स्पीकर का वक्त ले रहे हैं।

श्री राजदेव सिंह यह तो पूरे यू० पी० की बात मैंने कही। यू० पी० के अन्दर 54 जिले हैं। 27 ऐसे जिले हैं जो हिन्दुस्तान मे सब से पिछडे हुए एकोनामिक लेवेल पर आते हैं—15 ईस्टर्न डिस्ट्रिक्ट्स, 4 बुन्देलखंड के जिले और 7-8 पहाडी जिले।

सभापति महोदय : अब आप समाप्त करिए। श्री दमानी।

SHRI S. R. DAMANI (Sholapur): Sir, I rise to support the Finance Bill. While moving the Bill, the hon. Finance Minister has been kind enough to allow a relief of about Rs. 2 crores in the various tax proposals he has made. It was expected that he would be a little more generous towards the lower middle-class and middle-class people and give some more relief. I will come to it a little later.

If we compare the circumstances under which the Finance Minister had to frame the budget in 1972 and this year, there is a lot of difference. Last year the food position was very comfortable We had a buffer stock of 10 million tonnes There was stability in prices and the price situation was not so bad. But this year due to the failure of the monsoon, prices of all commodities have started rising He also had to make a huge provision for giving relief to the drought-affected areas. In Maharashtra alone, 35 lakh people are provided jobs relief work Our stock of foodgrains has also gone down Keeping all this in mind, he had to frame the budget and whatever tax proposals he has made are reasonable and acceptable

Many members have spoken about the rise in foodgrain prices This year our Government has taken a very bold step by taking over the wholesale trade in wheat and rice with a long-term view This will ensure the supply of foodgrains to the public at a fixed price and also assure the farmers that whatever quantity they are able to produce, they will get stable prices By stabilising the prices of rice and wheat, the prices of other consumer goods will also get stabilised The frequent price rise which we have been seeing can be halted by this But the opposition parties are playing a double game. They tell the farmers not to deliver wheat to the Government.

They then come to the city and tell the public to demand that Government should give foodgrains at concessional prices. I am sure the public are beginning to understand this double game and I am confident that our food procurement policy will be very successful.

Coming to the relief which the middle and lower middle class were expecting, I would like to say that it was expected that the hon. Finance Minister will increase the exemption limit from Rs. 5,000 to Rs. 7,500 as recommended by Mr. Bhootalingam as also by the Wanchoo Committee Because of the rise in the cost of living, this seems to be a reasonable expectation. The loss in revenue by this decision will be Rs. 10 crores or 20 crores which is about two per cent of the revenue. This loss will be partly offset by a reduction in work of the income-tax officers who will be free from a large number of small assessees. They can then devote their time exclusively on people of the higher income bracket and ensure that they do not evade tax.

The Finance Minister in his budget speech said that five principles guided him in the preparation of the budget, namely, countering inflation. the promotion of savings and investment, to enlarge employment opportunities, ensuring minimum basic amenities to citizens and, lastly, the boosting of exports.

The Finance Minister has tried his best this year to keep inflation under control. The gap in the budget is only about Rs. 90 crores. Perhaps, it may be a little more because of the implementation of the recommendations of the Pay Commission.

Coming to the second point of savings and investment, I do not find any incentive given in the budget proposals for saving which can lead to investment. Unless there are some incentives, there will be no saving or investment.

During the last four or five years industrial production has not shown any appreciable rise. The average increase is only 3½ per cent as against the expected increase in industrial production of 10 per cent. Even this increase is due to better utilisation of capacity and not by the setting up of new industries. Why is it that no new industries are coming up even though Government have announced some incentives? Because new industries are not coming up, so the problems of employment and price rise, which are linked with it, are not solved. Here I would say that when the financial institutions are giving loans to entrepreneurs, they are putting so many restrictions. For example, they insist on approving the appointment of the Managing Director.

14.25 hrs.

[SHRI K N TIWARY in the Chair]

They want their approval for that Director They will appoint a Director on the Board. Any change in the Board of Directors will require their approval. There are so many other conditions imposed. Over and above that, they keep a conversion clause, that the loan can be converted into equity to a certain percentage. These clauses, these restrictions are coming in the way. These rules have been introduced for the last five years. May I know from he hon. Finance Minister, have they examined as to how far these rules come in the way of the expansion of the industries in the country? This aspect should be examined. Government have got vast powers, in the Company Law. Many things have been covered. We should not put stiff rules for the grant of loans to new entrepreneur or to new industry. And then alone if would help many people to set up new industries, will solve the problem of unemployment and increase production.

[Shri S. R. Damani]

We talk about the industrialisation in the backward area. In this Budget some incentive has been given for setting up industries in the backward area. But what is the infrastructure there? Is there communication, is there transport? We find nothing and industrialization cannot be achieved. I give an example of my Constituency, Sholapur—a city with 5 lakhs of people. From Bombay if I book a trunk call, it does not materialise the whole day. In such circumstances how will the industries grow there? These facilities can be provided if Government gives more attention towards such cities, so far as transport and quick communication are concerned. Unless both these things are done, backward areas, small towns, are not going to get benefit of the schemes and these people will have to come to cities for getting employment. I therefore, strongly stress for the provision of infrastructure facilities in the backward areas to facilitate setting up of industries over there. This must be taken up seriously.

Every day we read in the newspaper that Excise Deptt. or the Customs Deptt. has seized the smuggled goods. What are those goods? Those are transistors, nylon watches, fountain pens, perfumes. All these are manufactured in the country. Then why are they being smuggled in such a large quantity? The smuggled goods affect the production in our country and there is competition. Our foreign exchange also indirectly goes away. According to me the main reason for smuggling is the high rate of Excise Duty on the initial production. Unless this Customs Duty and Excise Duty is brought down, smuggling cannot be stopped. I would, therefore, request that something should be done in this connection to stop smuggling.

Lastly, I want to say one thing. We are taking up more responsibility. Our public sector projects which are running for the last so many years are not showing profits. Everyday, in newspapers, we read that some section of Government staff is going on strike. Sometimes, we read that Engineers are going on strike; sometimes some other staff is going on strike or restoring to go-slow tactices. The things are going on like that. Unless discipline is brought among them, how are you going to develop the country? How will the Government be able to discharge its responsibility? This is a very important thing. Unless the Government officers work properly and undertake the responsibility, our responsibility to develop the country will not be fulfilled.

With these words, I support the Finance Bill.

SHRIMATI SHEILA KAUL (Lucknow): Mr. Chairman, Sir, I am very grateful to the hon. Finance Minister for having second-thoughts on the levy of black and white films. I felt strongly on that because the Film Institute of Poona was bringing out persons who were dealing with making of films. This extra levy would have been a great hardship on them. I am much obliged to him on this good move of the hon. Finance Minister.

Secondly, after 25 years of our Independence, when we are celebrating 25th Anniversary of our Independence, we still find that Indian money which consists of rupees and paise has some annas around it and these anna-bits have heads of former monarchs of England on them. For instance, I have got these 8-anna and 4-anna bits. I may be allowed to present them to the hon. Finance Minister for his ready reference and speedy action because these things, I

think personally, should not be allowed any more.

I do not want to take much time of the House because there are many Members who want to speak.

May I present them to the hon. Finance Minister?

DR. KAILAS (Bombay South): Mr. Chairman, Sir, while supporting the Finance Bill, I must thank the Finance Minister for announcing relief of about Rs. 2 crores by adjustment in agricultural income-tax, relief to small manufacturers of blended or compounded lubricating oils and greeses, concession for usage of unconventional raw material, like, bagasse and pulp, exemption of electric motors for battery operated toys and educational kits, reduction of duty from 50 paise to 30 paise per linear meter to small-budget films. But I wish the Finance Minister should have given concession to those film producers who produce films in regional languages. When we are talking of giving impetus to our regional languages, it is but natural that I must draw the attention of the Finance Minister that regional language films are very much necessary today not only for propagation and for strengthening regional languages but also for the integration of the whole country.

It is also good that 115 small-scale units producing polyethylene woven bags from high-density polythylene tape have got relief of 40 per cent. This year's budget tries to achieve five objects. The first is to counter inflation, the second is to promote savings and investment, the third is to enlarge employment potentialities, the fourth is to ensure minimum basic amenities to all citizens, and the fifth is to give a filip to exports.

To counteract inflation, the prices must be controlled. To control the prices, it is but natural that the prices of foodgrains must come down. Only when prices of foodgrains come down, the prices of other articles of consumption by the common man will also come down. If we want to control the prices of foodgrains, we must try to achieve the very much needed water supply to our fields. Hence, as I was trying to say, it is but natural that the Finance Minister should lay more emphasis on medium and small irrigation projects. To combat inflation, we must try to curtail the non- development expenditure or the expenditure which does not bring in any finances back to the country. It is alarming that since 1965-66 to 1972-73, the net tax receipts were Rs. 1,687 crores while in the same period the total non-development expenditure jumps up to Rs. 1,528 crores. That is, about 91 per cent of whatever the Finance Minister got by way of taxes was spent on non-development things or as administrative expenses.

I want to draw the attention of the Finance Minister also to the question of unemployment. To remove this unemployment, the country must develop industrially, and when I talk of industries, I mean that we must look as to how we can develop small scale industries and the industries which could be located in rural areas—what we call agro-based industries. I think, our attention has not been drawn to that side though the Finance Minister, in his speech, has said that he wants to give 20 per cent exemption on profits if the entrepreneurs locate their industries in the rural areas. According to me, 20 per cent incentive is almost negligible, especially when there is no infra-structure there, and unless and until we develop the infra-structure, it will be very very difficult to attract entrepreneurs to rural areas. My suggestion, therefore, is that the relief should be given upto 40 per cent. When countries like Iran, Italy, Greece, New Zealand, Brazil and

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Argentina could solve their difficulties and problems of their backward areas within ten years or so, why could we not do that even after 25 years? Perhaps the measures taken have been half-hearted. For instance, the Wanchoo Commission had suggested that the income-tax rate should not go beyond 75 per cent again. But this year also the Finance Minister has gone upto 85 per cent. Therefore, if we give incentive, let us give incentive on practical grounds. That means, you must give incentive to the extent of at least 40 per cent to entrepreneurs; then alone, they will go to settle down in rural areas. I do not know why steps have not been taken to bring out the black money. Why could we not ask those persons who have got black money and tell them that they have to develop the infra-structure in such and such areas and if they develop, we must not try to ask them from where the money came. Perhaps, that way the black money will come out and the infra-structure will also be established and perhaps then rural industries will come up quicker.

I was wondering why this process of keeping the Budget a "secret document" and thereby try to create a fear psychosis when articles of daily consumption go underground just before the Budget and also after the Budget? Our feeling is: let the Finance Minister say in this House how much does he need for certain purposes and let the House discuss as to from which sources Government can get this whole amount. If a discussion takes place, I think a consensus will emerge and we will be able to say that these and these articles should be taxed. I do not think by this process those who are manufacturing articles would take their articles underground or would try to raise the price of the articles. This is an idea which you may call an "utopian" idea, but we must try to work in progressive and in an open manner. Why could we not take all the Members of Parliament whether in the Lok Sabha or in the Rajya Sabha or the country as a whole into confidence and try to ask which articles could be taxed as also how much should be from direct tax and how much should be from indirect tax. Perhaps if we do that, there may not be any black market and perhaps there may not be any scarcity conditions. It is today a food for thought. Let the Government decide that next year this process as to what the country needs or how much money for development purposes and how to get this money? Just as we discuss any other Bill, why not the Budget also could be discussed in the same fashion?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): With your permission, may I seek a clarification from the hon. Member? Does he mean or imply that the taxation proposals instead of coming from the Government or the Finance Minister, should come from the hon. Members of the House?

DR. KAILAS: Exactly so. You must tell us only how much money you need for next year. How the money should come—let it be talked over, let the country discuss it and the opinion will then crystallise. No articles will then go underground as it happens now-a-days before the Budget is out and then later on too. It is an open secret how petrol goes underground, how cigarettes have gone underground and they come out if they are not taxed.

This is a new idea which I think will catch up if not to-day, at least after some time.

When I was talking about this that when the cost of food articles goes down to a certain level, then perhaps the cost of other articles will also go down. How shall we do it? The Finance Minister has tried to do it but in actual practice, it has not come true. The medium and minor irrigation projects have not been energetically undertaken. One can say it is a State subject. But I can cite an example about which the Government must start thinking. For medium irrigation project costing between Rs. 25 lakhs to Rs. 1 crore and for minor irrigation project costing about Rs. 25 lakhs, it is not necessary for the CPWD or even Planning Commission or the Finance Ministry to come in the way. But the Planning Commission has laid down a condition which is outdated, according to me, that the State cannot include in the annual State plan medium or minor irrigation projects. If it is allowed to be included, they can get their due share from Central Government. If you kindly allow the State Government to put these irrigation projects in the State Plan which they want to cover in a year, I think the miracle can happen. The Maharashtra Government want to spend Rs. 8.5 crores in 1973-74 and they have included certain projects but they cannot take them up fully unless and until the Planning Commission clears them. These projects do not relate to river dispute or tribunal. When the money is there and when we are all anxious that the food production should go up why have these projects which have not to go for the scrutiny of CWPC and Planning Commission been not allowed? I hope the Government will try to correct this move and allow the State governments to put up their plan in their annual budget.

Now, I want to draw the attention of the Government to the acute drinking water problem which is not only in Maharasntra but also throughout the country. Further, why are we taking so much of time not to nationalise foreign oil companies? They have been troubling us for nothing. To cover up our deficit of motor-spirit we must try to nationalise these oil companies. If we cannot do it all at once let it be done in two to three phases. First we may take over distribution and leave the refineries for some time to be nationalised later. If we take it up step by step I am sure the country will be self-sufficient in petrol and lubricating oil. Thank you, Sir.

SHRI SEZHIYAN: (Kumbakonam): Mr. Chairman, Sir, the annual budget of the Central Government gives an idea about the extent of financial authority and the magnitude of financial resources available to the Government. In a federal structure where we have got the Union and the States, unless we take into assessment the financial authority and the financial resources available both to the Centre and to the States and make a comparison of them, we will not be able to get a true picture of the economic strength of the country.

The State and the Central budgets should be complementary to each other in a healthy way. But if a comparison is made one is sure to come to the conclusion that it is high time that a reappraisal is made and the allocations done to remove the growing inadequacy and the imbalance in the financial resources and the authority between the Centre and the States.

In fact several Finance Commissions have pointed out to this need for reappraisal and the Fourth Finance Commission also said:

"The general charge is that the Union Government has a tendency to neglect shared revenues, even shared parts of one and the same item, in favour of non-shared re-

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venues and that there had not been adequate exploitation of the assigned taxes mentioned in article 269 of the Constitution. Each State illustrated this view with what it thought was an apt case. Some States had a feeling that as the Constitution now stands, a temptation on the part of the Union Government to neglect the State's needs is inescapable. A general review of inter-governmental financial relations to be followed by constitutional amendment, if necessary, was also urged."

This recommendation was made a decade ago and the need now is all the more urgent and necessary. It is an accepted formulation that in a federal structure both the Central and the State governments must each have sufficient financial resources to perform its exclusive functions. Adequacy and elasticity are both essential. Financial adequacy implies sufficient resources to discharge the responsibilities cast on them. Elasticity implies expansion of the resources in relation to the growing needs of the Government. We find that the responsibilities of the States, are, on the one hand, ever expanding. They touch the vital spheres of education, medical services, rural development etc. The pace of expansion of these departments and their activities is not matched by the growth of revenue for the States. The total expenditure in all the States increased nearly five-fold from 1960-61 to 1972-73. If you take all the States in India, their total expenditure, on developmental as well as non-developmental accounts, were Rs. 987 crores in 1960-61. Whereas for the year 1972-73, the same expenses for all the States put together comes to Rs. 4492 crores, almost about four and a half times to five times. The States' revenue increased Rs. 708 crores in 1960-61 to Rs. 2646 crores in 1972-73 i.e. three and a half times. Therefore, the increase in their expenses and their responsibilities has not kept pace with the increase in their revenues, The proportion of dependence of the States on the Central grants and allocations from the taxes has gone up from 30 per cent to 41 per cent in this decade. Therefore, it is high time that we should have a second look at the constitutional provisions so that the States are bale to discharge the responsibilities given to them in the Constitution.

Here, I would like to quote from Budget speech of the Chief Minister of Tamil Nadu this year. He said:

"We have further emphasized .....that the debt burden on States should be reduced; the base of divisible taxes should be enlarged; that the corporate tax which is primarily an income-tax should be brought into the divisible pool; that the percentage of excise shared by the States should be increased to 50 per cent and that only by such structural changes, can the States be rescued from financial uncertainties."

This is not a new thing and every State has been asking for this. Take for example, the corporate tax. That should have been included in the divisible pool. At the time of constitution making in July 1947 to be exact, there was a recommendation in the report of the Union Constitutional Committee, that the tax on companies in addition to some other taxes, should be included in the divisible pool for the States. In the Memorandum of the Constitution also, as adopted by the Constituent Assembly in July 1947, this provision was reproduced. The Expert Committee which went into the question again suggested that the States should be assigned a proportion of the proceeds of the corporate tax. But, when the

Constitution was finally adopted, they manoeuvred to keep this out even though very responsible voices were raised like that of Mr. Santhanam, Mr. Ananthasayanam Aiyyangar, Mr. B. Das and others that the corporate tax should have been included in the divisible pool.

Further damage was done by the Income-tax Act when it was amended by the Finance Act of 1959. Income-tax paid by companies was reclassified to come under the corporate tax. Mr. Chavan is not here. Otherwise, as Mr. Y. B. Chavan, he would have accepted my plea that corporate tax should be included in the divisible pool; as Finance Minister, he might not.

I would also like to refer to another State. I quoted the Chief Minister of Tamil Nadu, who belongs to my party. So, I would like to refer to a foremost Congress State. In the budget speech of one of the States, it has been stated that:

> "However, an important element of corporation tax which until recently formed a part of the divisible pool and has been excluded therefrom by an amendment of the Income-tax Act in 1959, would not be adequately compensated for by the slight increase in the percentage of the States' share in the divisible pool of income-tax receipts. It may also be mentioned that concurrently with the new formula of distribution, the Government of India have abolished the compensatory grants in lieu of the corporation tax element, which were received by us along with the other States since the amendment of the Income-Tax Act, 1959. The significance of the exclusion of the corporation tax is all the greater for the future in view of the fact that under the pattern of planned development under way in the country, the corporation taxes which are levied on the profits of the company have a far greater potentiality for expansion than personal incomes on which in the main the income-tax is levied."

This was the observation made by Mr. S. G. Barve, Finance Minister of Maharashtra in 1962. At that time, Shri Yeshwantrao Chavan was the Chief Minister there. Therefore, he should have concurred with what had come from the Finance Minister of that State in the budget proposals. Now that he occupies the seat in the Centre as the Finance Minister I hope that he would not have forgotten what his Cabinet and his Government had affirmed in Maharashtra.

SHRI G. VISWANATHAN (Wandiwash): Now, he is in a different climate.

SHRI SEZHIYAN: If he goes back, probably he would come back to the same view. There are some items where the Central Government levy taxes, collected by the Union but assigned to the States. There has been a persistent charge that the Central Government are not taking care of those items wherein the taxes are levied and collected by the Union but exclusively allotted to the States. Under article 269, there are a number of items which have never been exploited. I can just point out one such item, namely taxes on the sale and purchase of newspapers and on advertisements published by them. Why not impose this tax? I would suggest that we need not cover all the newspapers; we can include newspapers published in the Indian languages, that is, all non-English newspapers. Even among the English dailies, you can exclude those papers whose circulation is not more than 30,000 or so. But on all other papers which get tonnes of money through

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advertisements, you can impose this tax and those taxes can be assigned to the States. I think that an assessment has been made that if this tax is imposed on sale and purchase of newspapers and on advertisements published in them, about Rs. 3 to 3½ crores would be realised.

PROF. MADHU DANDAVATE (Rajapur) They are unofficially taxed.

SHRI SEZHIYAN That does not go to the States but goes somewhere else

Now, I would like to touch upon a general matter of budget proposals and that is in regard to the mischief of altering the structure, sometimes of altering the rates of taxes, by notifications of Government There have been ample opportunities for Government to rectify these things, but they have been carrying this on for long For, in this Finance Bill also I find that clauses 24 to 29 deal with certain levies of duties under the Customs Act and the Central Excises and Salt Act Clause 24 raises the rate of import duty on unexposed cinematograph films, stainless steel plates, sheets and strips Likewise, clause 27 raises the basic duty on four articles, changes the entire description of six articles and increases the duty after changing the description of smoking mixtures for pipes and cigarettes etc Now levies are also imposed on four items If however, one turns to the memorandum explaining the provisions of the Finance Bill, 1973, one will find that under customs duty six items are referred to where the rates of city have been increased; but of these six items, in the Second Schedule to the Finance Bill only two items are mentioned, namely items 29 and 63

It is not understood how the rates of duty on the other four items such as raw cotton, nylon yarn etc. have been increased without provisions in the Finance Bill. Presumably this has been done through a notification by withdrawing the present concessional rate. The present concessional rate on a specific duty basis whereas the rate in the traffic is *ad valorem*. That means the basis had been changed from the specific duty to *ad valorem* without the authority of Parliament, without statutory sanction I think this is a very serious matter and hope the Finance Minister will take note of it.

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It will be recalled that previously the Attorney General had suggested that such changes cannot be made by executive order of Government. I do not have the exact wording of it, but I saw his note while going through papers in connection with the Public Accounts Committee where it was objected to by him

In the same manner under the Central Excise Schedule, the effective rates are mentioned under each item which are not mentioned in the Finance Bill If one turns to p 26 of the memorandum the effective rates are elaborately set out for fents and rags, and textile fabrics of various descriptions Presumably these rates are brought in by way of notification I do not know on what authority the notifications are issued levying a duty and prescribing the measure for such levy without the provision thereof in the main Act The Public Accounts Committee have commented upon this tendency of Government to completely alter the structure and rates of duties by notification One can understand the necessity and the need to feview the rates when certain difficulty is encountered, because the Government can always reduce it; sometimes they can change within the limits set by Parliament Only thing they cannot collect in excess of what has been decided by Parliament. That is the plea they always make. But it looks rather odd that along with the proposal in

the Finance Bill to levy the duty at particular rates, effective rates reducing the proposed levies are also issued by the Government without any opportunity for the Parliament to understand the reasons for such reduction. Therefore, I want Parliament to be taken into confidence whenever the rates are reduced.

The Public Accounts Committee (Fourth Lok Sabha) in their 111th Report have made a severe stricture on Government. They have said:

> 'As many as 185 (of the 273) notifications gave exemptions ranging from 50 per cent to 100 per cent of the statutory rates of duty. Of these, the number of notifications which gave total exemption from tariff rates was 128 The Committee consider it extraordinary that delegated powers given to the executive should have been exercised to render the statutory tariff a nullity in a majority of cases."

So whenever they reduce it, whenever they bring it to nullity, they should come before Parliament and apprise it of the reasons for reduction, for bringing it to nullity Parliament must not be misled. I say this because Parliament is being misled You say 'I propose to charge so much' But you reduce it to nullity by notification If it is necessary to show that effective rates are the correct rates, then it is not understood why Government should not propose these effective rates themselves as the standard rates so that Parliament may not be misled as to the correct rates that will be adopted in respect of the various commodities. This is a matter of serious concern to Parliament as it tends to erode their effective control over taxation measures. I hope the Finance Minister and the Finance Ministry will take very serious note of this because in the Action Taken Report, I find they have simply said 'Recommendation noted'. I do not think they have observed it because in the Finance Bill presented to the House it has been completely violated at least in regard to some of the items I mentioned.

Now I come to some contents of the Finance Bill.

In my budget speech, I opposed the aggregation of net agricultural income for computation of rate of tax for non-agricultural income. Not that I oppose the idea of rich farmers who have benefited out of the Five Year Plans in which thousands of crore have been spent, being taxed. Those who have got the benefit out of it, the rich peasantry, should be taxed I am one with Government in that. But in trying to do it, I do not want Government to do a thing which is unconstitutional. Because, taxing the agricultural income, is exclusively allotted to the States and the Centre's taxing it in an indirect way, I think, is unconstitutional. During the budget speech, I raise three points on this score. I said it is unconstitutional and an encroachment of the States' powers Secondly, as recommended by the Taxation Enquiry Committee, they should have consulted the Attorney-General before coming to the House Therefore, I demanded that the Attorney-General should have been consulted and his opinion taken. Mr. Chavan said that he had taken the authority of the Law Commission.

PROF. MADHU DANDAVATE: You are giving the loopholes to the Chief Ministers.

SHRI SEZHIYAN: I will come to that. I said—and it is not my view alone but it is the view expressed by the Taxation Enquiry Committee—that the Attorney-General should be consulted. They have not consulted him. The Law Commission has no *locus standi* as far as Parliament is concerned. It is the Attorney-General who should have been consulted. Therefore, I have already given a motion that the Attorney-General should be called to clarify certain points.

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The third thing was, the States also should have been consulted in this matter, because, article 274 says:

> "No Bill or amendment which imposes or varies any tax or duties in which States are interested, or with varies the meaning of the expression 'agricultural income' as defined for the purposes of the enactments relating to Indian income-tax, or which affects the principles, etc. .... shall be moved..... except on the recommendation of the President."

Of course, they have not said there that the States should be consulted; but they say that the recommendation of the President should have been obtained, before introducing the Bill.

If you take the fourth Finance Commission's report, you will find that they have dealt at length with article 274 and said how it is not enough just to procedurally adopt the provisions by getting the recommendation of the President. They have made it amply clear that machinery should be devised so that the affected parties like the States are consulted before recommendation is given. The Fourth Finance Commission said:

> "Article 274 would appear to have been purposefully framed to forestall and to remedy misunderstandings such as these. This article provides in effect that no proposal which in any way affects the existing or prospective financial interests of the States shall be presented to Parliament except on the recommendation of the President. An explicit provision for a recommendation by the President should normally entail some mechanism other than the usual briefing and advice from the concerned Ministry at the Centre. While on several important subjects of common financial interests, consultations with individual States and groups of States have been held in the past, there is no regular provision or convention about preliminary consultation."

They have suggested that this is one fit case where before obtaining the recommendation of the President, they should have collected the opinion of the States interested in it.

In his reply, the Finance Minister, Mr. Chavan, referred to two or three criticisms. At that time, I tried to intervene and raise this issue. He said that "the leader of the DMK party had raised a point on the constitutionality of which I would make one request to him. Any criticism on merits can be made," etc.

Mr. Chavan said that if the States wanted, they could have collected it long before. Prof. Dandavate said that this would give loopholes to the Chief Ministers.

Mr. Chavan said in the year 1972, while talking to the AICC meeting in June, as follows:

> "Regarding the new class of the rich peasantry, Mr. Chavan said that while thousands of crores have been invested in the five year Plans on agriculture which was the most important sector its contribution to the exchequer has been negligible. We hope that the Chief Ministers would show some courage."

The Tamil Nadu Chief Minister showed some courage and put the agricultural income-tax. There was a frenzied agitation then organised by the rich peasantry and big landlords. It was supported by the Congress (Organisation), the Swatantra, and the ruling Congress and the CPI, and it was blessed by the Central Ministers. Mr. Subramaniam and Mr. Mohan Kumaramangalam, who came all the way to Tamil Nadu to support it openly.

SHRI PILOO MODY: Blessed are those who get blessed by them.

SHRI SEZHIYAN: Therefore, we cannot be blamed. We tried to put agricultural income-tax. It was opposed by the Congress (R) in Tamil Nadu. Mr. Y. B. Chavan would better talk to those persons in Tamil Nadu and explain to them why agricultural income-tax should be levied on rich peasants.

I have said that the States should have been consulted before Raj Committee's recommendations were implemented, especially the aggregation of the agricultural and non agricultural income for computation of tax. In his reply he said:

> "When we said that the report had been submitted ,that does not mean that the recommendations which are sources of revenue at their disposal should not be acted upon."

I should invite his attention to page 52 of the Economic Survey which says:

> "The States have long been complaining about the inelasticity of the sources of revenue at their disposal. The Committee appointed under the chairmanship of Dr. Raj to examine ways of raising more revenue by taxing agricultural income submitted its report sometime ago. The Committee's major recommendations include the imposition of aggregated levy on operational holdings, partial integration of agricultural and non-agricultural incomes for the purpose of calculating income-tax liability and the treatment of the family as the basis of assessment....The Central Government have remitted to the States Raj Committee's recommendations since their implementation falls within their purview."

In other words, the Economic Survey concedes that the implementation of these recommendations falls within the purview of the State Governments. The Survey says further that suitable action on the recommendation of the Committee would help bring about a greater measure of equity and elasticity in the tax structure of the States. While the Economic Survey concedes what I have been pleading for, the Finance Minister in his reply to my points, says that it does not fall within the purview of the States. Still I hold that this is unconstitutional and if it is contested before the Supreme Court it might be struck down.

I shall now refer to the method of computing the net agricultural income. My assessment is that you cannot do it unless you change the definition of "Total Income", Supreme Court and High Court judgements on that issue. I want the House to consider very carefully rule 8, now rule 10, in the Finance Bill. It says that for the purposes of computation of net agricultural income, the provisions of the Income-tax Act relating to procedure for assessment will apply, with necessary modifications, as they apply in relation to the assessment of total income under that Act. What they cannot do directly, they try to do indirectly. This itself shows that the computation of the net agricultural income cannot form part of present provisions of the Income-tax Act.

There may be many Acts dealing with agricultural income and all these Acts may have to be redefined because you change the definition of the agricultural income as per the Income-Tax Act, which will affect the State Acts also. There also they should be very careful. It appeared to me very strange why they had changed the name of the "Regulatory Duty" into "Auxiliary Duty". In the budget speech, the Finance Minister stated that "for certain reasons, it is not possible to incorporate the provisions in the Bill." The regulatory act can regulate the taxes or introduce additional taxes. The 'auxiliary', by the very word, means 'subsidiary to a basic one.' I can show you many items where there is no basic duty. But, they have put the auxiliary duty. How can there be an auxiliary or subsidiary duty where there is no basic duty?

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On page 44 of the memorandum you will find very many items Take for example zinc There is no basic duty but you have put the auxiliary duty. Also take for example aluminium or tin plates where there is no basic duty You are putting the auxiliary duty This is something ridiculous When the basic duty is not there, you cannot put this I think for other things.

I want to say one thing about the income tax arrears There have been quite a number of reports given by the Public Accounts Committee The tax arrears have been mounting to over 800 crores I do not know what steps have been taken by Government to wipe out the heavy backlog The Departments have been unable even to assess in a correct way what are the arrears If we ask three officers to give figures they will give three different figures If you take the same report in one page there will be one figure and in another page there will be another figure There is an utter confusion in the collection of arrears of taxes I do not know whether the income-tax is there to collect the taxes or for the benefit of the country or is it there to be used as an instrument to coerce or to intimidate certain individuals and to be vindicative against certain parties

श्री दरबारा सिंह (होशियारपुर)

चेयरमैन साहब यह मानी बिल जिस पर आज हम बहस कर रहे है इस पर हमारे मिनिस्टर-इन्चार्ज ने बहुत सन्जीदगी से मेहनत की है और तमाम मसलो को उन्होने बालायेताक नही रखा, बल्कि उन सब को सामने रख कर यह फाइनेन्स बिल आप के सामने पेश किया है। मैं समझता हू—उन की तकलीफे हैं दुश्वारिया हैं जिन से वह गुजरे हैं और वह आज की नही हैं, बहुत पहले की हैं। 1972 मे हमें बहुत सी दिक्कतो का सामना करना पडा, हमारे यहा जग हुई, रिफ्यूजीज का मसला आया, हमारी खरीफ खराब हुई, ड्राउट आया, खुश्कसाली आई और इन के साथ साथ पावर-शार्टेज का मसला हमारे सामने है। इन सारी चीजो के आने से हमारा डेफिसिट का बजट आया और हमारे तरक्की के काम रुके। मसलन इण्डस्ट्रीयल ग्रोथ पिछले साल साढ़े चार परसेन्ट रहा। इन तमाम तकलीफात को पेशे-नजर रखते हुए उन्होने कोशिश की है कि हम अपने तमाम मसलो को इस ढग से पार करे, जिन मे कि इन मुश्किलातो से बाहर आ सके।

इस वक्त हमारे सामने दो मसले है—जिन से हमको निपटना है—प्रोडक्शन ज्यादा से ज्यादा कैसे कर सकते है और दूसरे उसका मुनसिफाना या जिसका कहना है—सही तकसीम—कैसे हो पाये। ये हमारे दो पहलू है जिनको साथ लेकर हम को चलना है तभी हमारा काम हो सकेगा। इस के लिए उन्होने दो टास्क रखे हैं—मैक्सिमम प्रोडक्शन ज्यादा से ज्यादा हो इकानामिक वायाबिलटी हो एक्सपोर्ट्स ज्यादा हो और दरामद को कम किया जाय उन को मल्टीप्लाई करते चला जाय उस के साथ साथ ग्रोथ-इन-सोशल-जस्टिस कर पाये।

152 hrs

[SHRI SEZHIYAN in the Chair]

हम आगे बढ सकते हैं। इनमे से कौन सी ऐसी चीजे हैं जिनको सामने रखकर हम इस बिल को देखे? चेयरमैन साहब, जब आप बोल रहे थे तो आपने इस बिल के बारे मे काफी कहा। एग्रीकल्चर और नान-एग्रीकल्चर इनकम का जो इटिग्रेशन है, मैं समझता हू जो बडे कारखानेदार जमीनें लेकर अपनी ब्लैक-

मनी को व्हाइट करने के लिए चले गए थे उसकी रोकथाम के लिए यह रास्ता निकाला है, अगर यही तक यह महदूद है तो ठीक है। अगर उस चीज को आप रोक पायें तो बहुत अच्छी बात होगी लेकिन कहीं इसकी लपेट में और आदमी भी न आ जायें। हमने जमीन की सीलिंग की है, एक पाबन्दी लगाई है कि जमीन की हदबन्दी यहां तक होगी उस जमीन पर एक आदमी किसानी करता है और एक दूसरा लड़का किसी और जगह पर काम करता है। आपने फेमिली को यूनिट मान कर उस पर टैक्स लगाना है। एक बात और है कि बड़े जमीदार जो जमीन की पाबन्दी से निकल गए हैं फिर भी इतनी जमीन उनके पास है जितनी सीलिंग बिल के अनुसार पहले थी उनकी काबू करने की कोशिश करेंगे लेकिन मैं समझता हू ऐसा कर नहीं पायेंगे बल्कि दूसरे लोग उसकी जद मे आ जायेंगे। इसलिए आप इसके रूल्स को बहुत आसान बनायें, कहीं ऐसा न हो कि 5, 7 या 10 एकड़ वाले मार्जिनल फार्मर्स और छोटी जमीन वाले किसान वकीलों के दरवाजे पर खड़े रहें और अपनी आधी जमीन ही इस बात के लिए बेच दें कि इनकम टैक्स से कैसे बचना है। रूल्स बहुत आसान होने चाहिए। आपने वहां पर असेस करने के लिए जो लोग रखे हैं वह क्या कर रहे है इसकी छानबीन आप नीचे जा कर करें। वह केवल एक अन्दाजा लगा कर भेज देते हैं। मैं यह एलिगेशन बिल्कुल सोच समझ कर लगा रहा हू। इसलिए आप उनकी प्रोटेक्शन कीजिए जिनमे हमने कहा है कि जमीन छोटी होगी। वह टेक्नीक हमने जापान और मेक्सिको से लिया है जहां पर छोटी जमीन वाले ज्यादा पैदावार कर सकते है। जब हमने यह टेक्नीक वहां से ली है तो हमे यह भी देखना चाहिए कि कहीं यह लोग इसकी जद मे फस कर, इस इनकम टैक्स मे आ कर मारे न जायें। उनकी प्रोटेक्शन करने की बहुत जरूरत है। आपने हिन्दू ज्वाइन्ट फेमली पर कुल्हाड़ी चलाई है, हम मानते है जब समाजवाद लाना है तो उसमें ऐसी जगह है जहां पर हमको तोडना पडेगा और उनको एक फैमिली यूनिट शुमार करना पडेगा, उसके बिना हो नहीं सकता है, आपने किया है यह। 14 करोड डायरेक्ट टैक्सेज लगाए गए हैं और इनडायरेक्ट टैक्सेज भी लगाए हैं। आपने पेट्रोल पर टैक्स लगाया है और उसके साथ साथ कन्सेशन को विदड्रा किया है। ठीक है, लेकिन एक बात है रंज्ज का मसल निकल कर बाहर न पड़ा रहे, उसका बन्दोबस्त कीजिए। उनको तक्सीम करना है या काट छांट कर के वूल टाप्स बना सके, जो कुछ भी हो वह आप करें लेकिन वह इसमे मामला पडा न रहे कि क्या करना है और क्या नहीं करना है बल्कि उसका निपटारा होना चाहिए।

आपने लग्जरी गूड्स पर काफी टैक्स लगाए हैं लेकिन सारे अखबारों में आपने देखा होगा कि सारे बजट सेशन मे कभी भी अमीर की जबान से नहीं निकला है कि यह बजट बहुत नुकसानदेह साबित हुआ है। जब आप ज्यादा टैक्स लगाते हैं और अमीर की जेब मे फर्क पडता है तो उसकी एक चीख निकलती है लेकिन इस बार वह चीख नहीं निकली, कहीं रुकी पडी रही। आपने उसको छूट दे दी है और वह बड़े आराम मे है। (व्यवधान) . . नम्बर दो की जो उसकी आमदनी है वह निकल नहीं पाई। ब्लैक का जो रुपया है वह निकल नहीं पाया। आप और कुछ करे या न करे, मै समझता हू आपको डिमानेटाइज करना पडेगा, उसके बिना और कोई हल नहीं है। आप सौ रुपये का नोट वापिस न ले और फिर कहें कि पैरेलल मनी, एक नयी हुकूमत हमारे सामने है तो उसको आप कैसे ठीक कर पायेंगे। वह पैसा किसी के पास हो, मैं यह नहीं कहता कि पीलू मोदी उसमे आयेंगे, और भी छिपे हुए पहलवान उसमें आ जायेंगे लेकिन

[श्री दरबारा सिंह]

आपको यह करना पडेगा क्योंकि पैरेलल मनी जो है वह आपके स्ट्रक्चर को तोड रहा है और उसको टूटने से बचाने के लिए जरूरी तौर पर यह करना पडेगा। आप ने लग्जरी गूड्स पर टैक्स लगाया है, ठीक है, इन चीजो पर भी लगाये। आपने नान-प्लान में 153 करोड रुपया स्टेट्स के फंक्शन को ठीक करने के लिए, एडजस्ट करने के लिए रखा, बहुत अच्छा काम है। आप स्टेट के प्लान्स को फिर से रिवाइज कीजिए कही वह रुपये जो इधर उधर खच तो नही कर रहे है। शक इसलिए है कि एफिशिएन्सी के लिहाज से खर्चा नही किया जा सकता, अपनी मुश्किलात को सामने रख कर खर्चा किया जाता है इसलिए इसकी तरफ तवज्जह देने की जरूरत है। (व्यवधान)

जनसघ से मेरे दोस्त ने पूछा कि छोटे किसानो को कैसे बचाना है। मै मानता हू छोटे किसान को बचाने की बहुत ज्यादा जरुरत है। एक तो मैं अपाजीशन वालो से अपील करता हू कि सरकार ने फूडग्रेन्स का जो टेक ओवर किया है उसमे इमदाद करे। आप किसानो से अपना अनाज मण्डी तक लाने के लिए कहे। लेकिन आप तो उनको रोकने की कोशिश कर रहे हैं। बडे ट्रेडर्स सौ रुपये क्वीटल म अनाज खरीद कर किसान के हा छोड र हैं कि हम जब चाहेगे ले जायेगे। स्माल ट्रेडर्स भी यही करते हैं। 50 क्वीटल से ज्यादा रख नही सकते है लेकिन 50 क्वीटल इसके पास, 50 क्वीटल उसके पास, इस तरह से हजारा क्वीटल रख कर 50-50 क्वीटल करके बेचेगे। आप अगर चप ही रहे तो भी बहुत फायदा होगा।

किसानों को मदद सरकार की तरफ से दी जा रही है लेकिन मैं सरकार के नोटिस मे लाना चाहता हूं कि जितने 4, 5 या 10 एकड के छोटे किसान हैं उनको बैंक से सीधा कर्जा दिया जाये क्योकि ट्रेडर्स का क्लास फिर मनी लेण्डर बन रहा है। उनसे छोटे किसानो को बचायें। यह तभी हो सकता है जबकि वह सीधे बैंक से कर्जा ले सकें और अपनी फसल पर उसको वापिस कर सकें। साथ साथ उनको रेम्युनरेटिव प्राइस भी मिलनी चाहिए। हम चाहते हैं कि सब्सिडाइज भी करें और कन्ज्यूमर जो हैं उसकी मदद कर सके। यह सब करना चाहिए ताकि वर्कर जो है, कम आमदनी वाले फिक्स्ड इनकम वाले जो हैं उनको चीप रेट मे चीज मिल सके। वह तभी होगा जब आप कुछ ऐसा करें। प्राइस तो बढाई नही जा सकती लेकिन मैं कहता हू किसान की जिन्स जो है वह इस ढग से ठीक की जा सकती है कि जितने एग्रीकल्चर के इनपुट्स है जैसे एलेक्ट्रिसिटी, फर्टिलाइज बीज, पानी उन सारी चीजो का आप इन्तजाम करे और फर्टिलाइजर की कीमत को नीचे लाये। यह ठीक है कि आपने 26 प्रोजेक्ट्स क्लियर किए है शायद उसमे फर्टिलाइज के भी प्रोजेक्ट्स हो लेकिन आप फर्टिलाइजर के लिए जल्दी करे। क्योकि जब तक फर्टिलाइजर नही होगा जब तक ईल्ड नही होगी ईल्ड नही होगी तो फिर जो हालत है वह कायम रहेगी। जितना अनाज पैदा हुआ है उसका प्रोक्योर्मेन्ट हो जाये और जैसा लोग कहते है कुछ बाहर से भी आये। जैसा कि मैं कह चुका हू सभी मुल्को ने अनाज मगवाया है। किसी ने 20 मिलियन टन मगवाया, किसी ने 29 मिलियन टन मगवाया है दूसरे देशो से ताकि गरीब लोगो को अनाज मिले, और समय पर मिल पाये। यह सब होते हुए भी आप किसान की इस ढग से मदद करे जिस से उस

का हौसला बढ़े और वह ज्यादा पैदा कर सके। बैंको का मसला मैं दोहराना नही चाहता, वह निहायत जरूरी था कि उन का नेशनेलाइजेशन हो और किसानो को आसानी से उन से पैसा मिल सके जिस से कि वह अपनी पैदावार बढ़ा सके। हमें चाहिए कि नीचे वाले किसान के कर्जे का बोझा सरकार ले पाये तभी वह आगे बढ़ सकेगा।

इडस्ट्रियल लाइसेंसिंग पौलिसी इन-क्वायरी कमेटी ने रिपोर्ट दी है जिस मे कहा गया है कि जो बड़े हो रहे है उन को और बड़ा न होने दीजिए। उस के बारे मे कुछ ध्यान देने की जरूरत है। मुझे सिर्फ इतना कहना है कि बड़े बड़े जो हमारे पब्लिक सैक्टर है, मैं उस के हक मे हू, लेकिन पब्लिक सैक्टर को मजबूत करने की जरूरत है। जब तक मजबूत नही होगा तब तक समाजवाद अधूरा रह जायेगा। इसलिए उस को देखने की जरूरत है, उन पर बाकायदा तौर पर इंस्पेक्शन सैल बैठानी होगी जो देख पाये कि आखिर घाटा क्यो होता है। ऐडमिनिस्ट्रेशन के लिए आप किसी को बैठाये लेकिन जो टैक्नीकल आदमी है, जो नीचे काम करने वाला है अगर वह टैक्नीकल नही होगा तो काम अधूरा रह जायेगा। जब हम ने 2300 करोड़ रु० पब्लिक सैक्टर पर खर्च किया है तो हम को इस का माकूल इंतजाम करना चाहिए जिस मे पैदावार बढ़े और उस मे मुनाफा हो। जितनी कंज्यूमर गुड्स हैं उन को पैदा करने के लिए कोशिश करे तब जा कर प्राइसेज डाउन होगी। और यह तभी होगा जब कंज्यूमर गुड्स हम ज्यादा मिकदार मे पैदा करे।

इतना कह कर मैं आप से रुखसत मांगता हू।

SHRI N. K SANGHI (Jalore): Mr. Chairman, Sir, I rise in support of the financial proposals for 1973-74

I had the pleasure of hearing three very important persons from the Opposition benches, Dr. Karni Singh, Shri Piloo Mody and you, Sir. Dr. Karni Singh gave a feeling that he was speaking with a sense of pessimism and gloom and he went as far as to say that it may not be in his life-time but after his life-time there may be doom and resurrection in this country I do not agree with the tenor of his say.

My hon friend, Shri Piloo Mody, was good enough to say in a jocular and very sarcastic manner that possibly we are heading for a crisis. He has a right to say many things. But when he said that the Prime Minister was speaking in U.P. in hysterical shrieking, it was in bad taste It was said that this was not unparliamentary. I agree it may not be unparliamentary but, I say, it is certainly in bad taste and the height of impropriety I would not like to call Shri Piloo Mody anything I would like to say about myself that somebody said that I was a baby elephant It may not be unparliamentary but I feel, it will be a matter of impropriety and it will be rather indecent and in a bad taste. Such words should not be uttered. In this House, we would like to understand as to what positive points they want to make and what alternative suggestions they want to give We are all good citizens of the country It is in this background that we have to think

We know the prices are going up, the poor man has to be given some relief They say that the promises have not been kept and fulfilled. I would like to remind them what happened two years back when we had a war with Pakistan, when we had the emergence of Bangladesh, when millions of refugees had come to this country. What were the people saying and what were the Opposition

[Shri N K Sanghi]

parties saying? These matters will have to be viewed in a proper perspective But I am bound to agree with one thing that we fought Indo-Pakistan war not as a society of an egalitarian system but we fought it as a society of affluent people While the war in Bangladesh against Pakistani Junta was going on there was no rationing of petrol, there was no rationing of food stuffs, there was no rationing of meat or eggs The feelings of the people were very high and nationalism was at a high pitch The people were very disciplined It was our good fortune that war finshed early Had it continued for a longer period, all these difficulties would have come in our way This war naturally resulted in many constraints and had a bad effect on our economy The constraints are now being felt in our country, in the way of rising prices and the different maladies that we are seeing today What are the financial proposals for 1973-74? By these something is sought to be done — how the various difficulties can be taken care of how the problems can be tackled We would have appreciated if the Members on the Opposite had given some concrete suggestions

I come from Rajasthan There is a shadow of famine looming large in Rajasthan People are destitute, there is shortage of food shortage of water Today the industrial development in Rajasthan has been very negligible Every Member who comes from that State knows the conditions of that State better It is, in that light I want to say that the industrial development in Rajasthan has been on low key

In the Indo-Pakistan war our forces did a valient job on the Rajasthan border It was an area where we had occupied the largest area in the country of the enemy's territory And I would like to congratulate the defence forces who had thought of the strategic roads in Rajasthan on the border The strategic roads that had been built served a wonderful job, by faster mobility, of securing the mission for which our armed forces were fighting And what is the condition of Rajasthan today? Rajasthan has 5 2 per cent of the total roads of the country whereas Rajasthan comprises 10 5 per cent of the total area of the country It is high time that more strategic roads are built up in the area, more strategic railways are built up in that area These will not only serve the cause of economy in peace by removing the backwardness of the area but will also prove valuable during the time of confrontations

We were very much disappointed when we found that the oil refinery, much against the recommendations of the expert committee was ultimately shifted to U P We were also disappointed that the fertiliser plant was not coming to Rajasthan We have large depots of zinc, still the zinc smelter in Udaipur was not expanded also no second plant has been given to Rajasthan the second zinc smelter has been finalised to be located at Visakhapatnam We have also large deposits of limestone As Shri K D Malaviya was saying we need more cement factories Rajasthan is a State where we can have more cement factories with better economies In addition to limestone we have also large deposits of gypsum and pyrite and hence Rajasthan is a more suitable State for having a fertiliser plant Therefore Government should have another look into the matter

I would like to say that in the financial proposals a heavy impost of customs duty, 50 paise per metre, has been imposed on raw films—negative and positive films The Finance Minister has been kind enough to show some concession to black and white films I would like to draw his attention to the fact that India is one of the largest film producers of the world In India we produced as many as 401 films, of which 236 were

black and white and 165 coloured. If you have such a heavy impost on raw films, the industry will be crushed, and the production of films will be affected. What is the economy of film industry today? If you check up the statistics from the income-tax department, you will find that 20 per cent of the producers go out of the industry every year because of heavy losses. If a person pays Re. 1 for admission to a cinema, only 20 paise go to the producer, exhibitor and distributor whereas 80 paise go to the coffers of the Government. This is a highly generative economy, and in the background of that, I would request that this industry should be allowed to survive and the levy of 50 paise per metre should be reduced considerably because this is going to affect the production of films in our country.

So much has been said about direct taxation laws. We have had a large number of commissions and committees—Mathai Commission, Direct Taxes Reforms Commission, Boothalingam Commission; so many administrative committees have also gone into them; and the latest among them is the Wanchoo Committee. We are told that the Government has accepted 200 recommendations of the Wanchoo Committee. It would have been better if that Bill had been brought forward before the discussion of the financial proposals for the year 1973-74 was over. What is happening to the Income Tax Act? What has happened to the Department? Whenever any new changes are brought in, they keep on making some additions, further provisos and subtractions and so on, with the result that the whole thing becomes quite unintelligible to the common man. Every man in this country would like to pay his taxes. But the question is: how the taxes are going to be determined. How is he to understand? What is the way of determination of the tax? He is not able to realise as to what is the method by which he is going to pay the tax. That is the difficulty. There is clearly a case for simplifying the taxation law.

I would like to draw your attention to what happened to our law and how it become cumbersome. I would give you a simple instance—the life insurance premium deduction. The Government has been good enough to allow certain deductions to the people from their life insurance premium on their assessment. I would give you an example. In 1961, 25 per cent of the total income subject to a maximum of Rs. 8000 had been allowed as life insurance premium deduction. What happened in 1962? 25 per cent of the total income was allowed subject to a maximum of Rs. 10,000. Then, what happened in 1965? 60 per cent of the first Rs. 500 and 50 per cent of the balance amount was allowed as deduction. In 1966—25 per cent of the total income or Rs. 12,500 whichever was less. Then it was changed in 1968-69 as to 71-72. It was 30 per cent of the total income or Rs. 15000 whichever was less. In 1973-74 the quantum of the first deduction has been raised from Rs. 1,000 to Rs. 2,000 for qualifying for the amount of the life insurance premium deduction. I am only drawing this example to your kind consideration that if you go on changing the laws on small matters, whom are you going to benefit? Every year there is a different qualification, there is a different system. He does not know where he is going and it is very difficult for the common man to plan his future even for the sake of life insurance premium or for safeguarding his future premium deductions.

It was said on the floor of this House that levy of agricultural tax is rather unconstitutional. I would not go into the merits or demerits of the same, but I certainly feel that this levy of agricultural income tax is not a very reasonable one. It is not going to have a reasonably good effect in the whole country. I would not say that we are on a stage of the green revolution, I would only say that we are on the threshold of a green revo-

[Shri N. K. Sanghi]

lution. There must be some hon. Members who may be having both agricultural and non-agricultural income. If we are to give them a ready-reckoner and say this is your income, how are you going to pay the tax? It will be very difficult for a man, even to hon. Members of Parliament, to compute their tax. Suppose, there is a member who is having an agricultural income of Rs. 25,000 and if he has also non-agricultural income, I am sure that he would shun from generating his own economy from non-agricultural sources with the result that the country's economy would suffer. It is in this context to create confidence in the agriculturists, I feel and I agree with the earlier speaker, that this is a matter which is better left to the State Governments and in case it is decided by the State Governments, constitutional changes may be made so that these are brought within the purview of the Central Government and some effective steps are taken.

I would like to draw the attention of the hon. Minister to one more thing. The Income Tax law has not given what is allowed under the Gratuity Act. Under the Income Tax law a maximum of 15 months' salary or Rs. 24,000 was allowed as deduction but, according to the Gratuity Act of 1972 which was passed by this House, a payment of 20 months salary is being allowed. This anomally should be rectified and the Gratuity Act should be brought on par with the Income Tax Act or the Income Tax Act rectified in this matter.

I find from the financial report for the current year that they have set up a valuation cell for the valuation of property. In this report they have said that they have completed 657 cases out of 702 cases in the last 8 months. They assessed a wealth tax of Rs. 26 crores that was returned by the assessees and over-pitched the assessment to Rs. 37 crores. There was an increase of 140 per cent in the assessment of the returned wealth. I am sure that there must be at least 30 or 35 per cent of the assessees who must have returned the correct valuation of their property. If that be so, I think the over-pitching of assessments is 200 per cent by the Department. I feel this is a matter which should be seriously looked into. A 200 per cent over-pitching by the Department is going to cause severe trouble. To-day the penalty of this over-pitching is 200 per cent which is mandatory. I feel the Department should have a fresh look into the matter and examine it thoroughly. I have been discussing with one of the Government surveyors. I asked him as to what is his yardstick for evaluating the property. He said 'We do not have any yardstick. Sometimes we go by MES rates, sometimes we go by the built-up area value'. It is a different yardstick. Certainly in the garb of these different yardsticks they are creating havoc and the assessees will lose their faith and this is a very serious matter. He told me emphatically that he was not concerned with the PWD construction rates in Rajasthan; he was only taking into consideration the Central Government PWD rate when he was evaluating the property. How can the State Government carry on the construction work with their own rates which is much lower than the Central Government rate? It is a matter which will have to be seriously considered. We should not get in a position where the people are harassed by less charitable officers.

Sir, today the Income Tax Department has been working in a manner which merits lot of criticism. I am reminded of a story from Parkinson's law. A laundry was burnt and when it was burnt he went to a bank and applied for a small loan which was sanctioned within a period of two to three months. A large number of loans were sanctioned to small people like that and ultimately some one woke up in the bank as to how so much loans have been sanctioned so quickly. A committee went into this and they made the forms very

cumbersome. They were made so much cumbersome that nobody could fill up those forms, without making some mistakes here and there. With that all the bureaucrats were happy. Today they say that the laws cannot be made easy and things can be taken at their face. I feel the simplification of taxation law will go a long way in generating a proper economy. We should also see that the agricultural tax today is postponed till a certain consensus is developed by the States.

While concluding my speech I would appeal to the Finance Minister to consider a few points. Government should consider raising the exemption limit from Rs. 5,000/- which is today at a very very low keel. The penalty provisions under different Sections should be reduced. I think the physical punishment should be reduced considerably. The provisions in regard to advance tax are very very difficult. Today a man is asked to file the returns by 15th March of what he is supposed to earn by 31st March. This factor should be looked into carefully so that the tax-payer is not put in jeopardy for calculating tax as on future date and paying the advance tax at an earlier date. In conclusion I would submit that the language of the Income Tax Act should be simplified so that it could be understood by the common man or layman. With these words I wish that the Finance Bill be passed.

*SHRI N SATYANARAYAN RAO (Karimnagar): The Finance Minister has introdced this Finance Bill and expects this Bill to be passed I am not ready to support it Because the country is passing through chaotic conditions, the responsibility of which not only falls on the shoulders of the Government but also on the Finance Minister. Recently we have discussed the demands concerning the Ministry of Agriculture and Irrigation and Power. The Ministers incharge of those Ministries say that necessary finances are not being granted to them by the Finance Ministry. Particularly when the Irrigation and Power Ministry was asked to explain the power failure, the Minister incharge stated that they have submitted the necessary schemes to the Finance Ministry. But the Finance Ministry is not coming forward with a requisite financial sanction. I therefore submit that the Finance Ministry is wholely responsible for the chaotic conditions mentioned by me. It is a sad commentary on the efficiency of this Government and party to see that such unfortunate conditions continue to prevail even after 25 years of our independence and Congress rule.

Because of good monsoon last year we were patting ourselves on the back and are proud of our achievements. We were very vocal about the so-called green revolution. Because those favourable conditions are not there this year we express our helplessness and take shelter under the excuse of drought and famine We also talk of the calamity in Bangladesh. These are the two reasons they can think of.

My submission is that we have never tried to analyse the repeated failures One of the reasons could be bad planning

If a country has to achieve progress in the fields of agriculture and industry, particularly progress should be achieved in the production of power. That field of activity has been so badly neglected in this country that we don't have a parallel. No country in the world would neglect power as our country did Here the emphasis seems to be on production of hydroelectric power. If you see the other developing countries the emphasis seems to be on the production of thermal power. We don't lack in the resources for production of thermal power. Inspite of this no progress has been made in the production of thermal power. This field of thermal electricity production

*The original speech was delivered in Telugu.

[Shri Satyanarayan Rao]

has been very much neglected in this country. We have vast resources of coal. If we want to achieve prorgess industrially, we need power. If we are to tap the resources of sub-soil water, we require power. We all know the difficulties we are facing because of lack of this power.

Today, the country is facing a great power shortage, as a result of which several industries had to be closed down. The field of agriculture is also a sufferer in the bargain.

Everybody is proclaiming that there would be no need to import foodgrains even the Prime Minister has said it. We know the conditions that are prevalent. Could we produce the quantities of foodgrains that is required by this country? It is very doubtful. My feeling is that a situation has arisen when we cannot but import foodgrains from other countries. Therefore all this boils down to the fact that the Finance Ministry was responsible for not sanctioning the requisite schemes which go to give a fillip to the production of power.

I would like to mention another point about the development of backward area and I will be done. You always wax eloquent about the development of backward areas. You know the conditions in the region of Telengana which is very backward. A great agitation was made on that point. This agitation was made with the aim that Telengana should be brought on par economically with other advanced areas of the State of Andhra Pradesh. I would like to ask as to what action has been taken by this Government in this direction from 1969 on wards. If you ask me no action has been taken, I would say. There were two projects, namely, Pochampadu and Maneru. These projects are incomplete for want of funds. If Maneru project is taken up it would not only help in increased production of foodgrains; but also would solve drinking water problem of the city of Warangal. Several memorandums have been submitted on this issue. Inspite of all this the conditions remain as they were and these projects remained incomplete. I therefore once more submit that the Finance should sanction the necessary funds as early as possible so that these projects could be taken up and completed.

There is a doubt in the minds of the people that the Finance Minister is concentrating on the State of Maharashtra, because he belongs to that State. There is no doubt that there are famine conditions in that State. But there are other States also which suffer from the same malady and require the attention of the Finance Minister equally. You know the drought and famine conditions of the State of Andhra Pradesh. When we sought the help of the Government we are told that because of the agitations that are prevalent there nothing could be done. Not only does Andhra Pradesh suffer neglect in the field of development but also it suffers in the field of Railways. I beg to submit that not even a single new lines has been taken up since independence in my State. When we ask for new lines they accuse us of spoiling the lines that were existing. You have got an excellent excuse in this agitation anything we ask for. Here I would like to mention about a proposal for a Railway link between Ramagundam and Nizamabad. When we requested the Railway Minister for this line be expressed his inability because of lack of funds. He says that if the Finance Ministry sanctions funds, he would not have any objections. This line is a very important line. It is a known fact that several industries are coming up around Ramagundam. This line goes through the area of the Pochampadu project. This railway link would be an important step towards the industrial and economic progress of that area. I therefore once more submit that the necessary finances should be sanctioned to the Railway Ministry for taking up this line.

Many of our friends talked about taxation A lot of black money is in circulation If this black money is brought out many projects could be taken up and constructed But unfortunately no steps are being taken to combat the evils of this black money Why don't you demonatisation, which would solve this problem for ever' We don't know the reasons why this Government is not coming forward with demonatisation Some opposition parties are of the view that the Government would not come forward to solve this problem of black money with demonatisation because this black money is useful in running elections If this is true the responsibility would lie on the Government only

Another point I would like to mention is about the inefficiency of the of Income tax department We find that several Income tax officers are becoming millionnaires because of ill gotten money If at all they do they only harass those peoples who do not subscribe to their way of functioning If these small practices are checked much money could be realised by the Department I therefore conclude by saying that this Government should study all these facts and take remedial measures to in the direction of progress and prosperity of this country

श्री डी० एन० तिवारी (गोपालगंज) सभापति जी, किसी भी देश के वित्त मंत्री के लिए और खास कर उन्नतिशील और गरीब देश के वित्त मंत्री के लिए बड़ा ही कठिन काम करना पड़ता है क्योंकि वहां के आय और व्यय में इतनी खाई रहती है कि उस को पाटने के लिए उन को तरह तरह के उपाय करने में ही कई रातें नींद—विहीन बितानी पड़ती है । लेकिन उस वित्त मंत्री को क्या कहा जाय जिन के घड़े में छेद हो, ऊपर से कितना ही पानी भरते जाय वह घड़ा कभी भर नहीं सकता है । आज हमारे यहां की स्थिति यही है । वित्त मंत्री जी जिस घड़े को भरना चाहते हैं उस में कई छेद है जिस से द्रव्य नीचे गिरता जाता है और घड़ा कभी भरता ही नहीं है । ऊपर तो पानी दिया जाता है लेकिन वह नीचे निकल जाता है । मैं इस सम्बन्ध में एक उदाहरण आप को दूंगा । वित्त मंत्री जी जरा नोट कर लें, उनका रुपया कहां जा रहा है यह मैं उन को बता रहा हूं । बिहार में 750 मील नेशनल हाईवे इम्प्रूव करने के लिए 5 करोड़ का एस्टीमेट था । उस में 250 मील के लिए वर्ल्डबैंक से कर्जा मिलना था जिस का एस्टीमेट 10 लाख रुपये प्रति मील था और जो एन्युअल प्लान में बनना था 500 मील उस का एस्टीमेट 4 लाख रुपये प्रति मील था । दोनों एक समान काम होना है । एक का एस्टीमेट 4 लाख रुपये प्रति मील दूसरे का 10 लाख रुपये प्रति मील । दुर्भाग्य से वर्ल्ड बैंक का लोन फ्लाप कर गया और आप को नहीं मिल सका । उस को भी एन्युअल प्लान में लाना पड़ा । लेकिन एस्टीमेट वही रहा —दस लाख रुपये प्रति मील का । जब टेंडर मांगा गया तो उस इन्फ्लेटेड रेट पर दस बारह प्रतिशत बढ़ा कर ठेकेदारों ने टेंडर दिये क्योंकि उस में नियम यह था कि 25 लाख से कम का टेंडर कोई नहीं दे सकता था । इसलिए छोटे छोटे लोग टेंडर नहीं दे सकते थे । बड़े बड़े लोग मिल गए और उस इन्फ्लेटेड रेट पर दस बारह प्रतिशत बढ़ाकर काम किया ।

16 hrs

एक चार लाख का और दूसरा दस लाख प्रति मील के दर से, उस पर भी 10—12 परसेन्ट बढ़ा कर टेण्डर हुआ । एक साल पहले मैंने उस बात की ओर ट्रांस्पोर्ट मिनिस्टर साहब का ध्यान दिलाया । मैंने उन को लिखा कि बिहार में ऐसी लूट हो रही है—यह क्यों ? इस की छानबीन हुई और कुछ महीनों में चार

[श्री डी० एन० तिवारी]

करोड रुपये की बचत हुई और कुछ मदों को छोड़ दिया गया। लोगों को यह शुब्हा हुआ कि किसी ने उन को इन्फरमेशन दी है — अन्दाजे से एक आदमी को इस का दोषी समझ कर कि इसी ने इन्फर्मेशन लीकआउट की है, दिल्ली के ट्रान्सपोर्ट विभाग के बडे बड़े आफिसर और बिहार के हायेस्ट आफिसर मिल कर उस आदमी को पेनलाइज करते है। अगर यह सही इन्फरमेशन है कि उसी आदमी ने खबर दी थी तो उस ने आप का चार करोड रुपया बचा दिया और अगर कुछ और छानबीन की जाय तो आप का पाच-छ करोड रुपया और बच सकता है। आप ने अपनी मर्जी से 2 करोड रुपये की छूट दी है, उस तरफ तो सब का ध्यान है, लेकिन जो दस करोड रुपया बच सकता था, उस पर किसी का ध्यान नही है।

सभापति महोदय . आप अपना भाषण कल जारी रखें। अब हम रूल 193 के अन्तर्गत बहस को लेंग।

16.02 hrs.

DISCUSSION RE. APPOINTMENT OF CHIEF JUSTICE OF INDIA

श्री मधु लिमये (बाका) : क्या इस के लिए कोई समय निर्धारित किया गया है ?

सभापति महोदय · इस के लिए 3 घण्टे एलाट किये गये है।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, about the time, I wish to submit that Mr. Samar Guha has agreed to have his half-hour discussion postponed, and so we can sit till 7 p.m. today, which will give us three hours today. I met the Leaders of the Opposition also, and the desire is that we should have another three hours which will be on Friday and, if necessary, the spillover can be taken up to Monday.

MR. CHAIRMAN: On Monday, it will not be possible.

16.03 hrs.

[MR. SPEAKER *in the Chair*

SHRI K. RAGHU RAMAIAH: I have just now mentioned that if you agree, it will suit us to have the discussion today till 7 O'clock. I have met the Leaders of the Opposition before you came Shri Samar Guha is willing to have the half-hour discussion postponed. So, we could have three hours today, sit up to 7 p.m., and then, if the general desire is that the total time should be about six hours, we can take the rest of it on Friday and, if necessary, the spill-over on Monday.

MR SPEAKER I thought that two hours would suffice.

SHRI ATAL BIHARI VAJPAYEE (Gwalior)· The entire judiciary has been under-mined.

MR SPEAKER: Three hours today, and three more hours on what day?

SHRI K RAGHU RAMAIAH· Friday and Monday.

MR SPEAKER On Friday we have private Members' business.

श्री अटल बिहारी वाजपेयी शुक्रवार को भी ढाई घण्टा मिलेगा।

SHRI K. D. MALAVIYA (Domariaganj): Sir, am I to understand that six hours have been allotted to this?

What will they speak on, for six hours, I do not know.

SHRI H. N. MUKERJEE (Calcutta—North-East): The Minister just now told the House about the timing, about which he did not take our consent as far as I can make out, because in this discussion the cogency and continuity would be lost in the way in which the programme is suggested. I quite concede that the Finance Bill requires serious consideration, but something ought to be done in order that the discussion of this motion does not lose its force on account of its being cut off in so many compartments.

MR. SPEAKER: The Finance Bill has to be passed tomorrow.

SHRI SHYAMNANDAN MISHRA (Begusarai): Another submission I want to make. We have got so many things in our minds on this subject that it is not good that this subject is cut like that.

MR SPEAKER: We cannot postpone the Finance Bill.

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी फाइनेन्स बिल कल लिया जा सकता है, लेकिन मैं नहीं समझता कि यह चर्चा आज समाप्त हो सकती है । विषय महत्वपूर्ण है, सब लोग इस पर अपने विचार व्यक्त करना चाहेंगे, इस लिए इस को परसों लिया जा सकता है, परसों समाप्त कर सकते है—यदि आवश्यक हो तो ।

MR. SPEAKER: What I propose to do is this. On Friday I shall not admit any call attention motion. We can take the rest of the time before the commencement of Private Members' Business. We cannot postpone the Finance Bill tomorrow; it is already fixed and it would be a bad precedent if we did so. We can postpone the other business for one or two days and take it up on Monday next. You will have new ideas during the holidays.... (*Interruptions*) We shall finish it on Friday and I shall not admit any other motion on that day—no 377 motion and no call attention and if you allow me, no questions also...(*Interruptions*) No motions under 377 also; we will make up some other time; I shall admit one or two more.

श्री मधु लिमये (बांका) : अध्यक्ष महोदय स्वतन्त्रता के बाद तीन ज्येष्ठ जजों का मुख्य न्यायाधीश पद के लिए विचार न किया जाना तथा उन के द्वारा इस्तीफा दिया जाना—यह एक अद्वितीय घटना है . (**व्यवधान**) .... अद्वितीय का मतलब है कि ऐसा पहले कभी नहीं हुआ ... (**व्यवधान**) ....

श्री शंकर दयाल सिंह (चतरा) : अध्यक्ष महोदय, माननीय सदस्य एक-एक, शब्द का अर्थ हम को नहीं समझा सकते हम लोग इन से अधिक शब्दों का अर्थ समझते है, इसलिए अर्थ नहीं समझायें ...

MR SPEAKER: After all this debate has to go on for quite a few hours. All of you will have to be quite serious and should not interrupt each other. Let it go on with dignity and grace It is a very important debate that is going on: do not spoil it.

श्री शंकर दयाल सिंह : मान्यवर, आप ने जो कहा है, हम उसे स्वीकार करते हैं, लेकिन माननीय सदस्य को भी आप कहें कि अपने भाषण के क्षणों में कोई भी ऐसा शब्द, कोई भी ऐसा वाक्य, कोई भी ऐसी बात न कहें, जिस से हम लोगों को कुछ कहने के लिए बाध्य होना पड ... (**व्यवधान**) ....

अध्यक्ष महोदय : आप शान्त रहें। मैं देखता रहूंगा , जहां कोई ऐसी गड़बड़ होगी, मैं ख्याल रखूंगा ।

श्री अटल बिहारी वाजपेयी ऐसा लगता है कि सत्तारूढ़ दल के सदस्य कुछ घबराये हुए है ।

श्री मधु लिमये : अध्यक्ष महोदय, मैं यह कह रहा था कि यह जो घटना हुई, यह एक अद्वितीय घटना है— तीन जजो के द्वारा त्यागपत्र दिया जाना और ऐसे जज जो भारत की किसी भी अदालत के सामने भविष्य मे वकालत नही कर सकते है—ऐसे जजो के द्वारा त्यागपत्र दिया जाना—इस की हम लोगो को कद्र करनी चाहिए ।

कानून मत्री शायद इस त्याग के महत्व को न समझे, क्योकि उन्होने स्वय इस लिए जज-पद से अपना इस्तीफा दिया था कि जजो के लिए वर्तमान जो वेतन आदि है वे सन्तोष जनक है मुझे पता नही मत्री के नाते उन को जो वेतन मिलता है वह उन के लिए सन्तोषजनक है या आमदनी के कोई और श्रोत भी बीच म उन्होने बनाये है । इस लिए इन तीन जजो के द्वारा जो त्याग-पत्र दिये गये हैं उन की भावना की मै कद्र करता हू ।

गोखले साहब ने अपने भाषण म ला कमिशन की रपट का हवाला दिया । यदि इस पूरी रपट को हम पढेंगे तो मेरी समझ म नही आता है कि यह ला कमिशन को रपट के आधार पर अपने कामो का कैसे समर्थन कर सकते है ? ला कमिशन ने जो भी सिफारिशे की उनका सन्दर्भ मे तोड कर और उसकी जो एतिहासिक पृष्ठभूमि है उससे उन सिफारिशो को अलग करके उसमे से एक जुमले को या आधी सिफारिश को लेकर यदि वह श्री ए० एन० रे की नियुक्ति का समर्थन करना चाहेंगे तो मेरा खयाल है कि कोई भी निष्पक्ष आदमी इस तरह की बात को कबूल नही करेगा । ला कमिशन ने इसी रपट मे सबसे पहले इस बात पर आपत्ति की है कि पिछले कुछ वर्षों मे जजो की नियुक्ति मे कार्यकारिणी के द्वारा ऊपर से प्रभाव डालने का प्रयास किया गया है । यह आरोप उन्होने उस रपट मे किया है और आगे चलकर सुप्रीम कोर्ट के जजो के बारे मे और मुख्य न्यायाधीशो के बारे मे उन्होने दो सुझाव दिए है । एक—कानून के भाष्य मे स्थिरता लाने की दृष्टि से उन्होने यह सुझाव दिया है कि सुप्रीम कोर्ट पर ऐसे जजो की नियुक्ति की जाये जिनको कम से कम दस साल सुप्रीम कोर्ट पर काम करने का मौका मिले और उन्होने कहा है कि लम्बी मियाद का जहा तक सवाल है, मुख्य न्यायाधीश के बारे मे यह दलील और तक और मजबूत हो जाता है । उन्होने कहा है कि मुख्य न्यायाधीश को कम से कम 5 से ले कर 7 साल मिलने चाहिए ताकि सांविधानिक मामलो का कानून को एक आकार देने का काम वह ठीक से कर सके । तो मै जानना चाहता हू इसी कसौटी को आप ले लीजिए कि लम्बी मियाद के लिए मुख्य न्यायाधीश हो । इस कसौटी पर भी देखा जायेगा तो सब लोग जानते है जिन ग्रोवर साहब का उन्होने हटा दिया मुख्य न्यायाधीश नही बनाया उनकी मियाद श्री ए० एन० रे से भी शायद दो महीने अधिक थी । यानी मियाद की दृष्टि से भी देखा जायगा तो श्री ए० एन० रे की नियुक्ति श्री ए० एन० ग्रोवर से कैसे अधिक अच्छी है ? यह किसी की समझ म नही आयेगा ।

गोखले साहब ने अपने वक्तव्य के दौरान मे कहा कि ला कमिशन की सिफारिशो को सरकार ने 1960 मे ही मन्जूर किया था । मैंने ला-मिनिस्ट्री से आज दिन भर

जानने की कोशिश की, उन सिफारिशों के बारे में, कि मंत्रालय का या सरकार का कोई प्रस्ताव है लेकिन अभी तक वह प्रस्ताव मुझे नहीं मिला है। वह प्रकाशित भी नहीं हुआ है। क्या उन्होंने अपनी गुप्त फाइल के ऊपर कोई प्रस्ताव बना कर 1960 में रख दिया था जिसको प्रकाशित करने की उन्होंने विगत 13 वर्षों में प्रयास नहीं किया। तो इसका यह कहना है कि 13 साल पहले इस सिफारिश को स्वीकारा था उसका कोई सबूत सदन के सामने नहीं आया और सदन को तथा देश को उस पर बहस करने का मौका नहीं मिला और इस बात का उत्तर नहीं मिला कि विगत 13 वर्षों में इस सिफारिश पर कार्यान्वयन करने के लिए सरकार ने क्या किया। आज ही सरकार को यह बात क्यों सूझी? अगर 13 साल पहले ला कमिशन की सिफारिश को स्वीकारा था तो उन्हें सदन के सामने आना चाहिए था और कहना चाहिए था कि एक नया आदर्श, एक नयी परिपाटी डालना चाहते हैं और पुरानी परिपाटी को तोड़ना चाहते हैं। लेकिन यह भी इन्होंने नहीं किया।

ला कमिशन ने अपनी रिपोर्ट में मुख्य न्यायाधीश के बारे में जिन कसौटियों का उल्लेख किया है उनमें से एक ही पढ़कर मैं आपको सुनाना चाहता हूं। इसमें वह कहते हैं :

"It is obvious that succession to an office of this character cannot be regulated by mere seniority."

इसके ऊपर कानून मंत्री अपने निर्णय को आधारित करते हैं। मगर कमीशन आगे कहता है।

"For the performance of the duties of Chief Justice of India, there is needed not only a judge of ability and experience but also a competent administrator capable of handling complex matters that may arise from time to time, a shrewed judge of man and personalities and above all a person of sturdy independence and towering personality who would, on the occasion arising, be a watch-dog of the independence of the judiciary."

यानी एक वाक्य को जो यह पकड़ रहे हैं, सन्दर्भ से अलग करके, उसको भी पूरा पढ़ा जाये तो पता चलेगा ला कमिशन को चिन्ता है कि ऐसा व्यक्ति मुख्य न्यायाधीश बने जो न्यायालय की पवित्रता और स्वतन्त्रता की रक्षा कर सके, कार्यकारिणी के दबाव के खिलाफ जो आवाज उठा सके। ऐसी टावरिंग पर्सनैलिटी होनी चाहिए। मैं श्री ए० एन० रे के खिलाफ कुछ भी बोलना नहीं चाहता हूं। जैसे कि दूसरे कई जजेज हैं वैसे वह भी हैं. उनके सामने भी दो बार अपना तर्क पेश करने के लिए मैं खड़ा हो गया था। तो उनके खिलाफ मुझे कुछ नहीं कहना है। लेकिन जो कसौटी मुख्य न्यायाधीश की ला कमिशन ने बनाई है उन कसौटियों पर यह उतरते हैं—ऐसा मेरा ख्याल है हिन्दुस्तान का एक भी वकील या कुछ कानून के बारे में जो जानकारी रखता हो नहीं मानेगा कि अन्य तीन जजों से वे इनमें ज्यादा टावरिंग पर्सनैलिटी के आदमी हैं कि इनकी नियुक्ति करना सरकार के लिए सहज आवश्यक हो गया है 26 साल की परिपाटी को तोड़ कर—यह कोई भी नहीं मानेगा। या फिर कोई ऐसा होना चाहिए जिसके बारे में बहस की गुंजाइश ही न हो, कोई ऐसा नाम होता जिसके बारे में कोई बहस ही नहीं होती तब तो मैं मानता हूं ला कमिशन ने जो सिफारिश की है (व्यवधान) यह मेरी बात सुन नहीं रहे हैं। श्री ए० एन० रे इस तरह के व्यक्ति नहीं है यह मैं कह रहा हूं? हेबियस क्या है, मोबर क्या है और शेलट क्या है उसकी चर्चा मैं बाद में करूंगा। पहले मैं यह कहना चाहता हूं—मैं रे के खिलाफ नहीं कह

[श्री मधु लिमये]

रहा हू—मै इतना ही कह रहा हू जैसे दूसरे जजेज हैं वैसे वह भी है लेकिन ला-कमिशन ने जो कसौटिया बताई हैं स्टरडी इंडेपेन्डेन्स, स्वतत्र मति टावरिंग पर्सनालिटी, राक्षसी कहिये, उत्तुग कहिये, व्यक्तित्व इस तरह का कुछ नही है। (**व्यवधान**) मैं अर्ज कर रहा था जब श्री रे की ऐसी कोई गुणवत्ता नही है तो क्या वजह है कि तीन ज्येष्ठ न्यायाधीशों की वरीयता को नजर अदाज करके ए साहब को मुख्य न्यायाधीश बनाया गया ? मेरा अपना खयाल है कि इन तीनो जजो को इसलिए सरकार ने नही चुना क्योंकि इन तीनों जजो ने समय समय पर सरकार के खिलाफ निर्णय दिए है। गोखले साहब ने पूछा कि शेलट साहब ने और ग्रोवर साहब ने सरकार के खिलाफ कौन से निर्णय दिए है तो मैं कुछ सूची ही आपके सामने रखना चाहता हू। (**व्यवधान**) आप बार बार वे ही बात ले आ रहे है। मै कहना रहा था ग्रोवर साहब ने 1968 मे ही एक हैबियस कार्पस के मामले मे बहुत शानदार निर्णय दिया था और उसमे कहा था सविधान की 22 जो धारा है उसका उल्लघन सरकार कर रही है और जब कभी सरकारी अधिकारी कर्तव्य के नाम पर नागरिक की स्वतत्रता के साथ कोई छेड़खानी करते है तो उन्हे चाहिए कि जो कानून और सविधान की मर्यादा है उस के अन्दर रह कर वह काम करे। श्री ग्रोवर का यह निर्णय सरकार को पसन्द नहीं आया ? यह मामला विशेषाधिकार मे भी उठा था कि लोक सभा का अपमान हो गई इसलिए वह मामला आगे नही चला।

अब जहा तक शेलट साहब का सवाल है वह भी 1970 मे दो मामलो मे मुख्य न्यायाधीश श्री हिदायतुल्ला के साथ हैबियस कार्पस पेटीशन की सुनवाई के लिये बैंच पर मौजूद थे मेरे ही मामले में, मैं जीता हू और सरकार हमेशा गलत साबित होती, है और इस निर्णय मे जस्टिस हिदायतुल्ला और जस्टिस शेलट साहब ने यह कहा है कि जो मैजिस्ट्रेट है वह कानून की जानकारी नही रखता है, मैजिस्ट्रेट ने गैरकानूनी ढग से इन्हे गिरफ्तार कर के नजरबन्द रखा और इसलिये उन को इस तरह से कानून की और सविधान की मर्यादा का उल्लघन करके जेल मे नही रखना चाहिये था। ऐसे मैजिस्ट्रेट के साथ सरकार ने क्या व्यवहार किया ? उन को कोई सजा देने के बजाय, यह जो सिटी मैजिस्ट्रेट थे श्री मोहिन्द्र सिह, उनकी पदोन्नति मिल गयी और वह रायबरेली के डिस्ट्रिक्ट मैजिस्ट्रेट बना दिये गये, और मै आज कहता हू कि जिस मैजिस्ट्रेट के बारे मे कहा गया कि कानून की जानकारी नही रखता है, ऐसे मैजिस्ट्रेट को प्रधान मत्री श्रीमती इदिरा गाधी के के चुनाव क्षेत्र मे रिटर्निंग अफसर के पद पर नियुक्त किया गया।

शेलट साहब के बारे मे और एक बात मे कहना चाहता हू "ब्लिट्ज" अखबार जो प्रधान मत्री का बडा प्रशसक है उस ने ही शेलट साहब के द्वारा अभी जो एक नजरबन्दी कानून के बारे मे निर्णय दिया गया है उस पर क्या कहा है ? यह अखबार प्रधान मत्री का प्रशसक है जिसका यह प्रतिक्रियावादी अखबार नही कह सकते है। (**व्यवधान**) वह कभी कभी अच्छा काम कर देता है, लेकिन वह मेरे प्रशसको मे नही है, जब आप की जमानत जब्त होने का पहले से उसका अनुमान लगा तो मेरी फोटो छाप दी। अध्यक्ष महोदय, मैं कह रहा था कि शेलट साहब के बारे मे ब्लिट्ज अखबार कहता है

"The Supreme Court seven-Judge Bench with Acting Chief Justice J. M. Shelat presiding, deserves the gratitude of all lovers of human liberty for the historic judgment

striking down section 17A of the Maintenance of Internal Security Act, which authorised prolonged detention of a person without trial and even without the safeguard of the opinion of the Advisory Board" . . The Court has at once struck a blow for individual freedom and its own reputation as an upholder of this freedom" (*Interruptions*)

इन के ऐट मे अध्यक्ष महोदय कौन सी बीमारी उत्पन्न हो गयी है कि इन जजो का नाम लेते ही यह लोग उछलने लगते हैं । मैंने पहले ही कहा कि जस्टिस ए० एन० राय के दूसरे जज हैं वैसे ही वह भी हैं । वहम इसलिये है कि इन तीन लोगो की वरीयता के अधिकार का आप ने ठुकरा दिया

"The Court has at once struck a blow for individual freedom and its own reputation as an upholder of this freedom"

अध्यक्ष महोदय, सवाल यह है कि इन दो जजो के बारे मे सरकार को इसलिये गस्सा है कि समय समय पर एक बार नही, कई बार इन लोगो ने सरकार के खिलाफ निर्णय दिये ।

अध्यक्ष महोदय, मै यह स्पष्ट करना चाहता हू कि सुप्रीम कोर्ट के जो जज है उन की जो सैद्धान्तिक भूमिका है खास करके जायदाद के अधिकार के बारे मे उसके बारे मे उनके और मेरे मतभेद हो सकते हैं, लेकिन जस्टिस ए० एन० राय साहब भी कोई मार्क्सवादी ये क्रान्तिकारी नही है इसलिये उन का और मेरा मतभेद उसके बारे मे हो सकता है । लेकिन अध्यक्ष महोदय हमारे सविधान की मैं यह गरिमा मानता हू कि 32 अनुच्छेद के तहत उसने साधारण नागरिक को सर्वोच्च न्यायालय के पास जाने का और अपनी व्यक्तिगत स्वतन्त्रता को मनवाने का मौलिक अधिकार जनता को दे रखा है । और कोई सस्था मेरी नजर मे नही आती है इस के अलावा । एक जनता है, जनमत है, वह अलग बात है, लेकिन कोई सस्था नजर नही आती जो नागरिको के मानवीय अधिकारो की रक्षा कर सके । इसलिये न्यायालय की पवित्रता और स्वतन्त्रता के बारे मे अध्यक्ष महोदय, मैं चिन्तित हू ।

अब तीसरे जज को लीजिये, जस्टिस हेगडे । इन्होंने सरकार की निगाह मे सब से बडा पाप यह किया, जिसका उल्लेख मेरे मित्र श्री मधु दण्डवते ने किया, कि उन्होंने प्रधान मत्री की एक चुनाव याचिका के मामले मे प्रधान मत्री के खिलाफ निर्णय देने की हिम्मत दिखायी । इसीलिये अध्यक्ष महोदय, इन लोगो को जस्टिस हेगडे के बारे मे विशेष विद्वेष की भावना है । लेकिन यदि मैं सभी तथ्यो का यहा उद्घाटन करू तो आपको पता चलेगा कि श्री हेगडे महाशय ने प्रधान मत्री के बारे मे नरम रुख ही अपनाया था, कोई सख्त रुख नही अपनाया । माननीय गोखले जी मेरी बात पर विचार करे मेरी जानकारी के अनसार प्रधान मत्री के विरुद्ध की गयी चुनाव याचिका म कुछ सवाल पूछ गय थ और उन सवालो का जवाब देना प्रधान मत्री नही चाहतीथी उन के लिये वह आसान नही था । ता इन प्रश्नो का जवाब देना प्रधान मत्री के लिये आसान नही था इसलिये प्रधान मत्री सुप्रीम कोर्ट के सामने अपील मे चली गयी और उन मे इन के वकीलो ने लिखे हलफनामे पर हस्ताक्षर करवाया है कि यदि वह हलफनामा सदन के सामने आयेगा तो शर्म से प्रधान मत्री का सर झुक जायगा और दूसरे लोगो का भी झुक जायेगा । इस. हलफनामे मे प्रधान मत्री ने यह कहा है कि यदि मुझे इन प्रश्नो का जवाब देने के लिये बाध्य किया जायगा तो मैं मिथ्या साक्ष्य देने के अपराध मे फस जाऊगी । हमारे सविधान मे जो मौलिक अधिकार है उस का आधार उन्होने लिया है कि किसी को भी मिथ्या अपराध मे फसने वाली गवाही का बयान देने के लिये मजबूर

[श्री मधु लिमये]

नहीं करना चाहिये। प्रधान मंत्री के हलफ़नामें में.....

SHRI N. K. SANGHI (Jalore): Sir, he has brought in a matter of affidavit which is not before the House. This is highly improper. (*Interruptions*)

श्री मधु लिमये : हलफ़नामे तो सार्वजनिक शपथ पत्र होते हैं।

श्री सतपाल कपूर (पटियाला) : क्या इलेक्शन पेटिशन जो चल रही हो और उस के इश्यू फ्रेम हो चुके हों उन को यहां डिस्कस किया जा सकता है ? स्पीकर साहब, इस पर आप की रूलिंग चाहिये।

श्री मधु लिमये : अध्यक्ष महोदय, आप जानते हैं कि एफीडेविट्स सार्वजनिक दस्तावेज़ हुआ करते हैं।

MR. SPEAKER: Mr. Limaye, the matter is already *sub judice* so far as this is concerned.

AN HON. MEMBER: Affidavit is not *sub judice*. (*Interruptions*)

MR. SPEAKER: The point raised is that the petition is pending...

श्री मधु लिमये : वह पेटीशन डिस्पोज़ हो चुकी है जिस का मैं जिक्र कर रहा हूं।

प्रो० मधु दंडवते (राजापुर) : आप सब-जुडिस के बारे में कह रहे हैं, और वह प्रजुडिस के बारे में कह रहे हैं।

MR. SPEAKER: There is a very thin line. I very much hope that you will avoid your comments, whatever the factual position may be.

श्री मधु लिमये : मैं कोई कमेन्ट नहीं करूंगा।

प्रधान मंत्री के द्वारा जो सर्वोच्च न्यायालय में अपील की गई थी कि मुझे इन प्रश्नों का जवाब देने से छुट्टी दी जाये, मैं उस की चर्चा कर रहा हूं। उस का तो निर्णय हो चुका है। जब वह एफ़िडेविट सामने आया, तो हेगड़े साहब ने मित्रता की दृष्टि से इन के वकील को सलाह दी कि यदि इस पर खुली अदालत में बहस होगी और पता चलेगा कि प्रधान मंत्री ने यह आधार लिया है, तो दुनिया के अख़बार लिखेंगे कि.....

SHRI N. K. SANGHI: On a point of order. The informal advice of the ex-judge of the Supreme Court has been brought into the discussion by my hon. friend, Shri Limaye. It is highly improper and casting aspersion on the judge of having given informal advice.

MR. SPEAKER: In the normal debate, in routine business, such comments, perhaps, would not have been allowed. The very subject under discussion is about judges. (*Interruptions*) I am watchful. Leave it to me.

श्री मधु लिमये : अध्यक्ष महोदय, आप सभी लोगों के लिए वाचडाग रहिये। आप स्पीकर हैं। आप पूरे सदन के लिए वाचडाग हैं, अकेले मेरे लिए नहीं। केवल मुझ पर निरीक्षण करने के लिए आप नहीं हैं, सभी के लिए हैं।

अध्यक्ष महोदय : अब आप खत्म करें।

श्री मधु लिमये : अध्यक्ष महोदय, मुझ इतना टोका जा रहा है कि मैं अभी अपने सब मुद्दे सदन के सामने नहीं रख पाया हूं।

अध्यक्ष महोदय : मैं आप को दो बार मिनट और दे देता हूं।

श्री मधु लिमये : मैं कह रहा था कि हेगड़े साहब ने इन के वकील से कहा कि ..... (व्यवधान) मैं कोई गुप्त जानकारी नहीं दे रहा हूं। यह ओपन कोर्ट में हुआ है।

MR. SPEAKER: I am seriously considering the observation made by Mr. Madhu Limaye. He is going on a very thin line. The moment he comes on this side, I will be very careful. Leave it to me. Do not worry about it.

श्री मधु लिमये : अध्यक्ष महोदय, आप अनजाने मेरे कौशल की स्तुति कर रहे है । मैं कोई थिन लाइन पर नही हू ।

PROF. MADHU DANDAVATE: He will not fall down from the thin line.

श्री मधु लिमये : मैं बिल्कुल समदीय भाषा में और नियमों का पालन करते हुए बोल रहा हूं ।

खुली अदालत मे हेगडे साहब ने इन के वकील को सलाह दी कि इस अर्जी को आप वापिस ले लीजिए और वह अर्जी वापिस ली गई ।

SHRI M. D. JAMILURRAHMAN (Kishanganj): On a point of order. My point of order is whether this fact has been mentioned in the order paper of the court. If it is mentioned, then he is entitled to refer to that; if, however, it is not mentioned, he should not be allowed to mention that.

MR. SPEAKER: I am interested to know that the judges also think like that.

श्री मधु लिमये : हेगडे साहब ने जो दूसरा फ़ैसला दिया, उसी को ले कर इन लोगों की यह नाराजगी है । मेरे पास यह निर्णय की नक्ल है ।

SHRI VAYALAR RAVI (Chirayinkil): How many judges?

श्री मधु लिमये : श्री जगमोहन रेड्डी, श्री के० एस० हेगड़े और श्री ए० के० मैथ्यु ।

SHRI VAYALAR RAVI: Both of them are still in the Court.

श्री मधु लिमये . तो क्या हुआ ? हेगड़े साहब ने जजमेंट लिखा और जब दूसरे दो जजो ने अपनी सम्मति दी, तो वह सर्वसम्मत निर्णय यनेनिमम डिसिज़न हो गया । मैं कहना चाहता हू कि जज साहब ने किन मदों पर इन का आक्षेप है—शायद इस अनुच्छेद पर है :

"The allegations made in paragraphs 2, 5 and 6 of the petition, if read together, do show that the allegation against the respondent is that she obtained the assistance of Yashpal Kapur, a gazetted officer, to support her candidature by organising her electioneering work. These allegations bring out all the ingredients of the corrupt practice alleged though they are lacking in better particulars such as the date on which Yashpal Kapur was entrusted with the responsibility of organizing the electioneering work of the respondent. The absence of these particulars does not *per se* invalidate the charge. They can be supplied even now with the permission of the court. In this connection it is necessary to mention that the respondent in her written statement did not say that the allegations in question did not raise a triable issue. "

अध्यक्ष महोदय, यह बहुत महत्वपूर्ण है :

"...In this connection it is necessary to mention that the respondent in her written statement did not say that the allegations in question did not raise a triable issue. No such objection appears to have been taken at the time of the framing of the issues or in any of her pleadings. It seems that the objection was taken up for the first time when the petition to set aside the interrogatories was heard. We are saying all these only to show as to how the parties understood the allegations at the earlier stages, of the proceedings."

[श्री मधु लिमये]

ऐसी हालत में मुझे तो लगता है कि हेगड़े साहब को मुख्य न्यायाधीश न बनाना एक द्वेषमूलक बात है और सरकार ने इस मे सद्भावना नही दिखाई है ।

एक सवाल यह आता है कि मख्य न्यायाधीश को प्रशासकीय अनभव भी होना चाहिए । इन तीन जजो मे से दो जज ऐसे हैं, जो हाई कोर्ट के मुख्य न्यायाधीश रह चुके हैं, इस लिए उन को प्रशासकीय अनभव है । शेलेट साहब गुजरात उच्च न्यायालय के मुख्य न्यायाधीश रहे हैं और हेगडे साहब दिल्ली उच्च न्यायालय के मुख्य न्यायाधीश रहे है । अगर इन में से किसी को प्रशासकीय अनुभव नही है, तो वह श्री ए० एन० रे को नही है, जैसा कि श्री ग्रोवर के बारे मे भी कह सकते हैं कि उन को भी प्रशामकीय अनुभव नही है । इस लिए यदि यह तर्क है कि इन जजो को प्रशामकीय अनुभव नही था, जो मुख्य न्यायाधीश के काम के लिए आवश्यक है, तो यह तर्क भी बिल्कुल मिथ्या साबित हो जाता है ।

गोखले साहब ने सविधान के विभिन्न प्रावधानो के जो भाष्य यहा पर किए, उन को सुन कर मैं दग रह गया । वह मेरे पुराने मित्र है और एक वकील के नाते उन के बारे में पहले से मेरी अच्छी राय रही है । लेकिन मुझे पता नही कि सरकार से आने के बाद वह इस तरह की बाते क्यो करने लगे है । श्री गोखले एक जमाने में हमारे दल के उम्मीदवार थे । वह 1967 मे बम्बई से चुनाव लडने वाले विरोधी पाच पाडवो मे से एक थे । जब 1970 में यह खबर आई कि बम्बई के एक हजार बुद्धिवादी नव-काग्रेस मे चले गये है, तो लोग इस बारे में मुझे पूछने लगे । मैंने कहा कि एक हजार बुद्धिवादी न बम्बई में है और न समूचे भारत में है। श्री गोखले ने मुझे टेली-फोन पर कहा—और बयान भी दिया ; वर्ना मैं टेलीफोन की बात न कहता—कि वह गोखले मैं नही हू , जो नव-काग्रेस में गये हैं , वह बम्बई उच्च न्यायालय के सेवा-निवत्त न्यायाधीश, श्री बी० एन० गोखले हैं । वह क्यो 1971 मे इन के जाल मे फस गये, यह मेरी समझ में नही आता । और नतीजा हुआ कि इस तरह के वक्तव्य देने लगे । इन्होने कई बयान दिए :

"The power of the President in this matter is absolute."

ऐबसोल्यूट पावर की बात कहते है । अब जरा हम डा० अम्बेडकर साहब का भाषण देखे जो उन्होने सविधान निर्मात् परिषद के सामने किया था इसी धारा के ऊपर । उस का एक ही अनच्छेद मैं पढना हू । वह अमेरिका और ग्रेट ब्रिटेन की धाराओ की तुलना करते हैं

In Great Britain the appointments are made by Crown, without any kind of limitation whatsoever, which means by the executive of the day There is the opposite system in United States where, for instance, offices of the Supreme Court as well as other offices of the State shall be made only with the concurrence of the Senate in the United States. It seems to me in the circumstances in which we live today, where the sense of responsibility has not grown to the same extent to which we find it in the United States it would be dangerous to leave the appointments to be made by the President, without any kind of reservation or limitation merely on the advice of the executive of day"

केवल गोखले साहब और इन्दिरा जी की सलाह पर जजो को नियुक्त करने का

अधिकार राष्ट्रपति को नहीं देना चाहिए यह अम्बेडकर साहब का भाषण है। अमेरिका की स्थिति अलग है यहां की स्थिति अलग है।

एक माननीय सदस्य : पास क्या हुआ ?

श्री मधु लिमये : पास यही हुआ था जो अम्बेडकर साहब ने कहा था।

"Similarly, it seems to me that to make every appointment which the executive wishes to make subject to the concurrence of the Legislature is also not a very suitable provision. Apart from its being cumbrous, it also involve on the possibility of the appointment being influenced by political pressure and political consideration. The draft article therefore steers a middle course."

अब 26 साल पहले डा० अम्बेडकर ने यह कहा था। ....(व्यवधान) ... मैं इसलिए यह कह रहा हूं कि राष्ट्रपति का नियुक्ति का अधिकार ऐसा नही है कि जिस को ऐबसोल्यूट कहा जा सके यानी जिस के ऊपर कोई मर्यादा की बात नही है। अमर्यादित अधिकार नही है।

अब 124 धारा और 126 धारा का जो भाष्य इन्होंने किया क्या वह सही है ? क्या हमारे संविधान मे ज्येष्ठता और वरीयता के प्रश्न को कोई महत्व नही दिया गया है ? मैं सदन का ध्यान और कानून मंत्री का ध्यान संविधान की धारा 60 की ओर खीचना चाहता हू.

"Every President and every person acting as President or discharging the functions of the President shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of India or, in his absence, the seniormost Judge of the Supreme Court available."

संविधान में सीनियरमोस्ट जज की चर्चा है। तो संविधान कुछ महत्व देता है ज्येष्ठता को। .... (व्यवधान) ... मैंने कहा कि संविधान ज्येष्ठता के सिद्धात को भी कोई महत्व देता है तब जा कर 60वीं धारा में उस की उन्होंने चर्चा की है। अब 124 के बारे में :

अध्यक्ष महोदय : मैं आप से कहूं कि पहला स्पीकर ज्यादा से ज्यादा आधा घंटा लेता है। आप उस से ज्यादा बढ़ गए है। अब आप खत्म कीजिए।

श्री मधु लिमये : अध्यक्ष महोदय, मैं बहुत जल्दी समाप्त करूंगा।

124 धारा को हम लोग देखे। इस 124 धारा में इन का कहना है कि ए जज या एवेरी जज, यह जो शब्दावली है उस में चीफ जस्टिस नही आते हैं। लेकिन इस के प्राविज़ो को देखें—

Provided that in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of India shall always be consulted."

"अदर दैन दी चीफ जस्टिस", इस का साफ मतलब है कि चीफ जस्टिस भी न्यायाधीशो में ही आता है। तो चीफ जस्टिस के लिए यह अनिवार्य बना दिया गया है, यदि दूसरे किसी जज की नियुक्ति करनी है तो अनिवार्य रूप मे आप चीफ जस्टिस की राय लेंगे, अनिवार्य रूप में, ओबलिगेशन है आप के ऊपर। लेकिन इस का यह मतलब नहीं निकलता कि चीफ जस्टिस की नियुक्ति मे चीफ जस्टिस की सलाह नहीं लेंगे। अनिवार्य बना दिया है दूसरे जजेज की नियुक्ति के बारे में। लेकिन चीफ जस्टिस के लिए भी कहीं भी

[श्री मधु लिमये]

नही लिखा है कि चीफ जस्टिस जिस की मियाद समाप्त होने वाली है उस की सलाह नही लेनी चाहिए ।

अध्यक्ष महोदय गोखले साहब ने यह नही बताया कि किन जजेज की राय राष्ट्रपति जी ने ली ? जरा पता लगे कि किन किन जजो की राय उन्होने ली और इसका भी पता चले कि क्या दो भूतपूर्व एटार्नी जनरल श्री सीतलवाड साहब और श्री दफ्तरी साहब जो हैं क्या उन से इन्होने राय ली थी ? सविधान मे नही है । लेकिन जब एक परिपाटी के विपरीत जा कर नई परिपाटी स्थापित करना चाहते हैं तो क्या इनका यह कर्त्तव्य नही था कि जो इस देश के माने हुए कानून-पडित हैं उन का सलाह लेते ? इसलिए मै जानना चाहता हू कि क्या सीतलवाड साहब की सलाह ली या दफ्तरी साहब की सलाह ली ? क्या जो भूतपूर्व तीन चीफ जस्टिस है जिन के साथ इन्होने काम किया इन तीन जजो ने चीफ जस्टिस हिदायतुल्ला साहब, शाह साहब और सीकरी साहब उन स राय ली ? (व्यवधान) सुब्बा राव तो पहले के हैं । उनके समय मे इन मे से कोई जज उन के साथ काम नही किए होगे । तो ये तीन जो भूतपूर्व मुख्य न्यायाधीश हैं क्या इन की भी सलाह ली है ? मुझे पूरा विश्वास है कि इन्होने इस तरह का कोई कार्य नही किया क्या कि मनमान ढग स ये अपना काम करना चाहत थे ।

अब इस स्थिति मे करना क्या चाहिए ? इस के ऊपर मैं अपने सुझाव देता हू । इस से कोई भी इनकार नही कर सकता कि समूचे देश मे बडी खलबली मची है (व्यवधान) वकीलो के द्वारा (व्यवधान) बम्बई में 7 हजार लोगों का काम से दूर रहना, बम्बई मे अहमदाबाद में काम काज ठप्प हो जाना और सभी शहरो के बार एसोसिएशन से प्रस्ताव पास होना क्या पटना क्या दूसरी जगह, सभी जगहो से हो रहा है, ऐसी हालत मे मेरी राय मे आज हमारे न्यायालय की पद्धति मे एक सकट की स्थिति उत्पन्न हो गई है ।

इसलिए मेरा यह सुझाव है (1) कि राष्ट्रपति जी श्री ए० एन० रे को सलाह दे कि इस सकट के निवारण के लिए वह मुख्य न्यायाधीश के पद से इस्तीफा दे । (2) राष्ट्रपति जी जिन जिन न्यायाधीशो ने इस्तीफा दिया है उन को बुला कर कहें कि यह अपना इस्तीफा वापस ले और इस के बाद वरीयता के सिद्धान्त को प्रस्थापित किया जाय । चू कि श्री ए० एन० रे से कहा जा रहा है कि वह मुख्य न्यायाधीश के पद को छोडें इसलिए मेरा यह भी सुझाव है कि चू कि श्री ए० एन० रे की मियाद दो महीने कम है श्री ए० एन० ग्रोवर से तो हम नही चाहते कि उन का भी कोई अपमान किया जाय इसलिए मैं चाहूगा कि श्री ए० एन० ग्रोवर 6 महीने पहले इस्तीफा दे दे ताकि श्री ए० एन० रे भी मुख्य न्यायाधीश बन सकें । अगर कोई नई परिपाटी कायम करनी हो तो वह श्री ए० एन० ग्रोवर और श्री ए० एन० रे की मियाद समाप्त होने के बाद की जाय और जो भी नियुक्ति हो वह दो तीन महीने पहले की जाय इस सदन को मौका दिया जाय उस पर बहस करने का । वरना क्या होगा कि सभी जज सरकार को खुश करने का प्रयास करेंगे । (व्यवधान)

एन एन द्विवदी साहब को इलाहाबाद से विदा किया गया तो यह भाषण उन्होने दिया था कि मैं जा रहा हू गोलकनाथ केस के फैसले को बदलने के लिए । यह उन का भाषण है । (व्यवधान) इसलिए इस सकट को समाप्त करने के

लिए और भविष्य मे कोई भी जज सरकार का ध्यान आकर्षित करने के लिए गले मे यह पट्टा डाल कर न घूमे कि मैं बधा हुआ हू। कमिटेड जज हू, जैसे हमारे मित्र पीलू मोदी कुछ गले मे डाला करते थ। मैं केवल सिद्धान्तो के प्रति बधा हुआ हू, प्रधान मत्री मे भी बधा हुआ हू, उन के प्रति भी वफादार हू—हम पट्टा गले मे डालकर न घूमे। इसलिये मैं यह सुझाव दे रहा हू।

श्री नरसिंह नारायण पाण्डेय (गोरखपुर): अध्यक्ष महोदय, मैंने बड ध्यान से अपने पुराने दोस्त श्री मधु लिमये साहब का भाषण जो उन्होने सविधान के सम्बन्ध मे और मुख्य न्यायाधीशो की नियुक्ति के सम्बन्ध मे दिया सुना। उन्होने सविधान की धारा 124 (2) को पढ कर सुनाया। भारतीय सविधान मे कही भी इस बात की चर्चा नही मिलती कि राष्ट्रपति मुख्य न्यायाधीश का एप्वाइन्टमेन्ट किस की सलाह से करेगे। जब इस बात की चर्चा इस मे नही की गई है तो राष्ट्रपति जी ने जो नियुक्ति की है, वह नियुक्ति उस धारा के तहत की है —मेरी समझ मे नही आता कि इस मे कौन सी अव्यवस्था पैदा हो गई है। क्या इस के पहले हाई-कोर्ट्स मे सीनियर एप्वाइन्टमेन्ट्स नही हुए हैं क्या जूनियर जजेज चीफ जस्टिस के स्थान पर एप्वाइन्ट नही हुए थे। यदि नियुक्त किये गये थे तो क्या मान्यवर आज हमारे श्री मधु लिमये उन बातो को भूल गये उस समय तो श्री मधु लिमये या उन की पार्टी ने इन बातो की चर्चा नही की।

मान्यवर आज इस बात को लेकर इस को एक राजनीतिक स्वरूप दिया जा रहा है, जो बडा दुर्भाग्यपूर्ण है। मैं चाहता हू कि इस देश मे न्यायपालिका की इज्जत हो, हमारे सविधान के मुताबिक हमारी न्यायपालिकाये इस देश मे चलें और हमारे सविधान मे जो ऋचाये लिखी हुई है, उन डाइरैक्टिव प्रिन्सिपल्ज के अन्तर्गत हम सारे देश की जनता को भोजन दे सके, मकान दे सके सुख-सुविधाये दे सकें। जब उन उद्देश्यो को पूरा करने के लिए एक कार्यक्रम शुरू हुआ जब सविधान मे सशोधन शुरू हुए तो इस देश की प्रतिक्रियावादी ताकतो, रजअत पसन्द ताकतो ने आज ऐसी स्थिति पैदा कर दी कि जिस स्थिति मे आज हमारे समाजवादी नेता श्री मधु लिमये साहब भी बहने लगे और उन्होने बहने के साथ साथ सारे समाजवाद को धो दिया बेसुरी बासुरी इस सदन मे बजाने लगे। भारतीय सविधान की धाराओ को गलत तरीके से पेश करने लगे और मुझे दुख होता है आज इस तरह से भारतीय सविधान को पेश किया जा रहा है।

श्रीमान्, यदि इस ला कमीशन की रिपोर्ट को देखा जाये, जिस का जिक्र मधु लिमये साहब ने किया है। लॉ कमीशन की रिपोर्ट बहुत पहले तैयार हुई थी। इस के बारे मे कान्टीचूएन्ट असेम्बली मे लेकर 1954 तक लोक सभा मे मधु लिमये जी और उन की पार्टी और सारी विरोधी पार्टिया कहा करती थी कि हम को इस पुराने स्ट्रक्चर को जो अग्रेजो का दिया हुआ है बदलना चाहिए लॉ कमीशन बनना चाहिए। ला कमीशन के मुताबिक इस देश मे जूडीशियरी की स्थापना होनी चाहिए। अब मै लॉ कमीशन की रिपोर्ट की उन धाराओ की तरफ आपका ध्यान दिलाना चाहता हू जिन के सम्बन्ध मे मेरे मित्र श्री मधु लिमये ने अपने विचार आप के सामने रखे है। लॉ कमीशन की रिपोर्ट मे साफ लिखा हुआ है कि यह कोई जरूरी नही है कि सीनियर जज को ही चीफ जस्टिस नियक्त किया जाये।

[श्री नरसिंह नारायण पाडेय]

चीफ जस्टिस नियुक्त करने के लिए कोई जरूरी नही है कि सीनियर जज हो। बार-कान्सिल के काफी पुराने और तजुर्बेकार वकीलो को भी एप्वाइन्ट किया जा सकता है —उस धारा को मैं आप की इजाजत से कोट करना चाहता हूं —

"It is, therefore, necessary to set a healthy convention that all appointments to the office of Chief Justice rest on special consideration, and do not as a matter of course go to the seniormost puisne judge If such a convention were established, it would be no reflection on the seniormost puisne judge if he be not appointed to the office of the Chief Justice We are in another place suggesting that such a convention should be established If in the case of an appointment of Chief Justice of a high court, once such convention is established, it will be the duty of these responsible for the appointment to choose a suitable person for that high office, if necessary, from among persons outside the court'

श्रीमान् प्रश्न यह पैदा होता है कि आज जो स्थिति पैदा हो गई है यह क्या हमारे ही देश मे है क्या और देशो ने इस का पालन नही किया ? आस्ट्रेलिया ने पालन किया , कैनाडा ने पालन किया, यूनाइटेड किंगडम ने पालन किया, यू० एन० ए० ने पालन किया सारी जगहो पर कही भी सिनियोरिटी को मान कर जजो का एप्वाइन्टमेन्ट नही किया गया है। मेरे पास यह बासु की कमेन्ट्री है आप की इजाजत हो तो मैं इस को पढ कर सुनाऊ —लेकिन समय थोडा है, इसलिए मैं इस मे नही जाऊगा।

अध्यक्ष महोदय, हम ने भारतीय सविधान की धाराओ और देश की जनता की आकाक्षाओ के अनुरूप काम किया है। "ला कमीशन की रिपोर्ट के बारे मे, हमारे माननीय साथी कहते हैं कि 1960 मे इस को एक्सेप्ट किया गया था, मैंने लॉ कमीशन से पूछा था, लेकिन मुझे कही उस का जवाब नही मिला" उस का जवाब हमारे कानून मंत्री जी देगे। लेकिन मैं कहना चाहता हू—साफ़ बात है कि आज उस का इम्पलीमेन्टेशन किया गया है और इस लिए इम्पलीमेन्टशन किया गया कि सही तरीके से उन का एप्वाइन्टमेन्ट हो और हमारे देश के जो डाइरैक्टिव प्रिन्सिपल्ज हैं, जिन को हम गाव गाव तक पहुचाना चाहते हैं, उस को हम पूरा कर सकें। अब यह नही कहा जा सकता कि स्टेटसको (Statisquo) कायम कर के इस देश की जनता को ज्यादा दिनो तक बरगालाया जा सकता है। इस देश की जनता स्टेटसको पसन्द नही करती। अगर हम ने राजाओ को खत्म किया, अगर हम ने भारतीय सविधान की उन धाराओ को बदल कर राइट आफ प्रापर्टी मे गरीब जनता के अधिकार को सुरक्षित किया, तो इस मे ऐसी कौन सी बात हो गई है जिस के लिए इतना हगामा मचाया जा रहा है। हमारे चीफ जस्टिस को प्रेसिडन्ट एप्वाइन्ट करते हैं वह मत्री परिषद् की राय से करते हैं जिन को योग्य समझते है, जिन का प्रशासकीय काम का अनुभव हो जो उस व्यवस्था को ठीक तरह मे चला सके, एसे व्यक्ति को चीफ जस्टिस नियुक्त कर दिया तो कौन सी नई बात हो गई है।

मैं जानता हू कि इस के पीछे एक साजिश है। मैं उत्तर प्रदेश की विधान सभा का सदस्य रहा हू। श्रीमान्, आप को भी याद होगा— ये लोग बडे होश्यार है, बडे माहिर है। उस समय इन्ही के दल के लोग , सोशलिस्ट पार्टी के लोग—श्री केशो सिह, श्री श्यामनारायण सिह और श्री खूब लाल— इन तीन

आदमियो ने मेरे खिलाफ़ ये पर्चे बाटे थे। मैं उस समय सोशलिस्ट पार्टी मे था और विधान सभा का सदस्य था। मैंने इन की पार्टी से इस्तीफा दे दिया था और सोशलिस्ट कन्सोलिडेशन के लिए कामम पार्टी मे चला आया था और जब मैं आया तो मेरे साथ मेरे सब साथी भी चले आये। उस समय मधु लिमये जी वहा पहुच गये, डा० लोहिया पहुच गये, राजनारायण जी पहुच गये और पहुचने के बाद इन्होने क्या किया ? वहा मैंने असेम्बली मे आग लिया था, प्रोसीडिंग्ज मे आग लिया था---इन्होंने पर्चे छपवा कर बटवा दिये कि मै विधान सभा मे मौजूद नही था और बाद मै यह मामला विशेषाधिकार समिति मे लेकर प्रेजिडेन्शल रेफ्रेंस तक पहुच गया। यह वही केस है, मैं वही मदस्य हू और ये वही नेता है जो आज उधर बैठ कर देश की सरकार प्रधान मत्री के रास्ते मे रोडा अटकाना चाहते हैं, जो आज इस देश मे समाजवादी विचारों को लाना चाहती हैं, करोडो आदमी जो भूख और त्रस्त है सही तरीके से इस गरीबी से निजात दिलाना चाहती है और भारतीय सविधान के आचरणो को सही तरीके मे रचित करना चाहती है, इस देश की जनता की आकाक्षाओ को पूरा करना चाहती है। ये वही लोग है जो हर समाजवादी कदम का विरोध कर रहे हैं, होल-सेल ट्रेड का विरोध कर रहे है, समाजवादी कार्यक्रमो का विरोध कर रहे है, सविधान की धाराओ का विरोध कर रहे हैं और चाहते है कि जनता की इच्छाओ को पूरा न होने दे। इसी उद्देश्य को पूरा करने के लिए विरोधी पार्टी एव सोशलिस्ट पार्टी के साथी आज ऐसा कर रहे हैं, श्री मधु लिमये जी और उन के नेता ऐसा कर रहे है, तो यह कोई अजीबो-गरीब बात नही है।

3.15 hrs.

उन्होने बहुत से उद्धरण दिए, न्यायाधीश सीकरी साहब के बयान को सुनाया, लेकिन हमारे देश की ऐसी परम्परा बन गई है कि जब तक न्यायाधीश रहते हैं, मुख्य न्यायाधीश रहते हैं तबतक उनके बडे सन्तुलित विचार रहते हैं लेकिन बाद मे बदल जाते है। बहुत से विचार उन्होंने प्रकट किए, इस सरकार के खिलाफ बहुत से केसेज मे जजमेन्ट दिए गए लेकिन मैं कहना चाहता हू उस समय गवर्नमेंट ने कोई ऐक्शन नही लिया, गवर्नमेन्ट वहा कैसे आती है ? गवर्नमेन्ट को क्यो घसीटा जा रहा है ? इसलिए घसीटा जा रहा है कि इसके पीछे पोलिटिकल मोटिवेशन है। यदि आज इस देश मे श्रीमती इन्दिरा गाधी की इमेज खराब होती है तो विरोधी पार्टी के लोग समझते हैं वह सशक्त हो जायेगे, इस देश की जनता वोट मे उनको जिता देगी। मैं कहना चाहता ह इन को जनतन्त्र मे ही विश्वास नही है। सीरवाई की इस किताब को पढे, एक जमाना था जब फडामेन्टल राइट जिसका इन्होने हवाला दिया है उसका विरोध किया जिस पर लोक सभा के चुनाव हुए और आज उसके बारे मे इतने ज्यादा आधारभूत सिद्धान्तवादी हो गए। तो यह सब चीजे है जिनमे न्यायाधीशो को ला कर सारे देश मे बावेला पैदा करने की कोशिश की जा रही है। मधु लिमये जी बहुत मास्टर हैं, उन्होने इस काम मे मास्टरी हासिल कर ली है। वे इम्पीचमेन्ट की बात करते है भारतीय सविधान के अन्तर्गत, लेकिन प्रधान मत्री जी का इम्पीचमेन्ट किस सेक्शन में होगा उसको जरा बताये। क्या जनता की मीटिंग मे वे प्रधान मत्री जी को इम्पीच कर सकते है ? हमारे पीलू मादी और मधु लिमये जो उत्तर प्रदेश मे दौडे जा रहे हैं (*व्यवधान*). आपका एक राजनीतिक उद्देश्य है जिसको

[श्री नरसिंह नारायण पांडय]

जनता अच्छी तरह से समझ चुकी है। विधान के अन्तर्गत जो आप आज स्थिति पैदा कर रहे हैं उसको जनता स्वीकार करने के लिए तैयार नहीं है। इसलिए मैं आपसे कहता हूं (व्यवधान) .... राज नारायण जी की भी तो जमानत हमने जब्त करा दी, आप क्या बात करते हैं। मैं भी सोशलिस्ट पार्टी में रहा हूं और आप का लीडर रहा हूं। तो मैं निवेदन करना चाहता हूं कि राष्ट्रपति जी ने जो कुछ किया है वह नियमानुकूल है। उन्होंने विधान के अनुसार ही किया है। उन्होंने भारतीय परम्परा की रक्षा की है और उसको करके इस देश में डिमोक्रेसी और जुडीशियरी को पवित्र किया है। जो इस प्रकार का चार्ज आज लगा रहे हैं उनका पोलिटिकल मोटिवेशन उसके पीछे है। इन लोगों से जनता को सावधान रहना चाहिए। इस देश के जजेज और वकीलों को सावधान रहना चाहिए और इस देश की करोड़ों जनता को भी सावधान रहना चाहिए। हमारी प्रधान मंत्री श्रीमती इन्दिरा गांधी संविधान को अमेण्ड करके इस देश को सही रास्ता दिखाना चाहती हैं।

इन शब्दों के साथ मैं आपका बहुत शुक्रगुजार हूं कि आपने मुझे अवसर दिया।

SHRI JAGANNATH RAO (Chatrapur): For the first time in the last 23 years, the appointment of the Chief Justice of India figures in Parliament by way of a discussion. So many appointments have been made earlier, but at no time did Parliament or the public take notice of such appointments. This appointment is criticised by a section of the Bar, by a section of the Judges retired and resigned judges and by a section of Parliament as giving them surprise and shock. If this appointment had violated any of the articles of the Constitution and if the President had transgressed his limits in appointing Mr. Justice Ray as the Chief Justice, I could well appreciate any surprise or shock, that might have been caused to some of the people.

The question naturally arises. Under Article 124 the appointment of a judge of the Supreme Court as the Chief Justice of India by the President is done by warrant. Seniority is not the principle, though that practice was followed hithertofore.

A person may be senior today merely because he joined the court earlier than others. That does not give him the right to any claim over others who are equally meritorious or equally suitable.

When a judge of the High Court is promoted as a judge of the Supreme Court, does he not supersede his brother judges of the high courts who are senior to him? Has not Shri Hedge superseded his other colleagues when he was appointed Chief Justice of the Delhi High Court? Did not Shri Grover supersede his colleagues in the Punjab High Court when he was appointed as Justice of the Supreme Court and brought here from Punjab? So the seniority is not the principle on which the President should proceed.

Coming to the report of the Law Commission what does it say? It says that seniority is not the only principle to be adhered to. The suitability of the judge has also to be considered. A person who may be senior may not be suitable. Suitability is more important than mere seniority. The mere fact that a person joined the court a month or a year earlier than his colleagues does not confer on him the right to be made automatically the Chief Justice. Sutability has

to be decided by the President. The President appoints, by warrant, on the advice of the Prime Minister, who is head of the Government, a person as Chief Justice of India. In this case, the President appointed Mr. Justice Ray as the Chief Justice, on the advice of the Prime Minister who is head of the Government. I quite appreciate the feelings of those that are superseded. But, human nature being what it is, naturally they feel that they are hurt. That does not mean that any principle is violated and the Constitution is thrown to the winds.

What is the principle of seniority? Does seniority mean vested interest in a person. Even the Executive, when appointment of the Chief of Army Staff is made, appoints a junior officer and not necessarily a senior officer. The Chairman of the U.P.S.C. was not always a senior man. A senior is not automatically appointed as the Chairman of the U.P.S.C. There are several instances where seniority is not considered. What is considered is the merit or suitability of the person. Therefore, on the question of appointment of Chief Justice of Supreme Court there is nothing for any surprise. The merit of a judge or suitability of the judge alone is being considered for the appointment as Chief Justice. A judge's ability or merit or the aptitude or inclination can be seen from the judgments. Therefore, the person considered suitable, only is appointed as Chief Justice. The person appointed has to move with the times. He cannot sit in an ivory tower, unmindful of the changes that are taking place in the country. The judges are confronted with matters about fundamental rights versus the interests of the vast majority of the people which are enshrined in the Constitution. Therefore, it is the duty of the Government to see that the people who form the bulk of the community and who are underfed, undernourished and who have no roof over their head and who have no light in their houses and who have no clothes to wear and who have no water to drink are looked after.

For the welfare of these people, it is the duty of Government to bring forward necessary legislation. When a case comes before the Supreme Court for Judicial review, is it not the duty of the Suprme Court Judges to apply the principle of harmonuous constuction and place no hurdles in the enforcement of the directive principles which benet the larger sections of the people, instead of always clinging to the fundamental rights which benefit a few? The Judge has to discharge his duty to the society at large. So, the aptitude and attitude of the judge is more important. The Chief Justice of the Supreme Court sets the tone and he should see through the deliberations of the court that justice is meted out to the society at large.

It is said by a section of the Bar that the independence of the judiciary is undermined because a junior judge is appointed as Chief Justice. Under article 124, no judge of a High Court or Supreme Court can be removed except under clause (4) by a petition made to the President by both House of Parliament for proved misbehaviour or incapacity. A judge can continue till 65 years of age and he does not have to look to the executive for favours or patronage. So, the independence of the judiciary is not affected.

It is said that the confidence of the people is shattered by appointment of a junior judge as Chief Justice. The confidence of the people was shattered all these days by the recent judgments of the Supreme Court starting from the Golaknath's case in 1967 where the judges by a majority of 6 to 5 held that fundamental rights are inviolable, sacrosanct and trans-

[Shri Jagannath Rao]

cendental and cannot be touched even by Parliament. If one of such judges is made the Chief Justice of India, the confidence of the people will be really shaken. So, these arguments have no force. There is no point in the arguments put forward by the opposition parties who held the same view as a section of the Bar and the judges who have resigned. The President is well within his right to appoint Mr. Justice Ray as the Chief Justice.

I was really surprised and shocked to read what Mr. Hegde said in his press conference yesterday. I had due respect for him all these days, but it is gone since I read it this morning. His opinions reveal the mind of a politician, not of a judge. He was in politics earlier and of course, he is free to enter politics again and come to Lok Sabha. I was shocked to read his statements. He has said that after his judgment in the election petition case, the Prime Minister wanted to oust him. He says, Shri Mohan Kumaramangalam is a communist and there are fundamental differences between Mr. Kumaramangalam and himself. He says that Mr. Gokhale is a pathetic case and he has no ideas, etc. I say that Mr. Hedge is not only a pathetic case but a pathological case: He has lost the chance of becoming Chief Justice and I can understand his feelings. But it does not be fit a person of the standing of a Supreme Court judge till yesterday to say these things

Shri Piloo Mody is voicing the feelings of Mr. Hedge, who has described Shri Gokhale as a pathetic case I can understand his feelings He has been deprived of the chance of becoming the Chief Justice in June, 1974 So, it is a pathological case in the case of Mr. Hedge These utterances do not help. He has come out with venom against the Prime Minister, against the Government, against the President and so on. The independence of the judiciary is not shaken and the confidence of the people is not shaken by this appointment. The people have confidence in the Supreme Court and the Judges who have taken oath under the Constitution before entering on their offices.

We have to respect the fundamental rights of the many and not the fundamental rights of a cherished few. In the interests of a few you cannot override the interests of the many. The Government have to enforce the directive principles over fundamental rights, otherwise, they have no right to be in power. We have brought forward amendments to the Constitution. Fortunately for us, because of the latest judgment, we need not bring in another amendment to the Constitution. The latter part of article 31(c) has been struck down. If this is the attitude of the Supreme Court to what Parliament enacts, then the learned Supreme Court judges lose the respect of the people.

Shri Madhu Limaye said that no resolution was brought before the House when the 14th Report of the Law Commission was accepted The 14th Report relates to reform of judicial administration They are in two parts. One is amendment of laws to enforce certain recommendations Some recommendations do not require any change in the law The recommendations about the appointment of Chief Justice of Supreme Court and of High Courts are those which do not require any change in the law and so the Government can implement them by executive action So, they need not come befor Parliament for amendment of the law.

The other point raised by Shri Madhu Limaye is about article 60, which says that the President shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of India or, in his absence, the seniormost Judge of the

Supreme Court available, an oath. But that article relates to the administering of oath to the President. In the article relating to the appointment of Chief Justice, namely, article 124, there is no reference to the senior-most Judge. Under that article the President has wider powers. Article 126 speaks of the appointment of an acting Chief Justice. In that case the President is bound to select one of the Judges. But under article 124 he has a wide discretion. There is no bar or inhibition. Therefore, the President was well-advised by the Prime Minister to appoint Justice A. N. Ray as the Chief Justice and the objections raised, either here or by the bar association or by the resigned Judges have no force or validity.

Doubts and suspicion were created in the minds of the people because of the suddenness of the appointment of the Chief Justice. In fact, it caught them by surprise. But what could the government do? The judgment was delivered on the 24th. The Chief Justice was retiring on the 25th. On that day somebody had to be appointed as Chief Justice. So, there was no time to publish the norms etc. which they are going to apply in future. It is rather an accidental coincidence. Therefore, while I support the appointment of the Chief Justice, which might have caused some disappointment to some of the superseded Judges and some members of the Opposition, in order to avoid any confusion I would suggest to the Government that they may come forward with norms which they want to apply in those cases in future in the appointment of the Chief Justice to the High Court and the Supreme Court. That will set at rest any doubt or suspicion in any quarter either in Parliament or in Supreme Court or outside. That will create confidence in the minds of the people, judges and the Bar. For future, this at least should be done.

Mr. Hegde also said in the press conference that there should be an independent authority to appoint judges. Under the Constitution, there is no member of any independent body. The executive advises the President and the President appoints judges. What is the indepndent authority which Mr. Hedge thinks of? He was a judge himself. He knows the Constitution. When the time comes when the Constitution has to be amended, not only this article but so many other articles which are found to be obsolete, which need any amendment, can be considered at a future date. Let him not question the validity or propriety of this appointment. I uphold the appointment.

The motion says that the situation created by the appointment of the Chief Justice may be taken into consideration. What is the situation? The situation is that four vacancies discuss this? The discussion is polihave been caused. Are we going to discuss this? The discussion is politically motivated. I oppose the motion.

SHRI A. K. GOPALAN (Palghat): Mr Speaker, Sir, the appointment of the Chief Justice of India superseding three senior Judges has justifiably roused wide-spread criticism in the country. The Government had not chosen to come before Parliament and taken it into confidence with cogent reasons before they chose to throw away the convention established since Independence.

I want to make it very clear that as far as we are concerned, we do not support this Judge or that Judge.

AN HON. MEMBER: No Judge.

SHRI A K GOPALAN: As far as we are concerned, all Judges are the same. Our party has never concealed its firm opinion that as between the propertied and privileged classes and the oppressed and exploited classes, all talk of justice is a myth. Neither the Government nor the Supreme Court had any uneasiness to deny to the most consistent fighters against the established order whatever perso-

[Shri A. K. Gopalan]

nal freedom was enshrined in the Constitution on the achievement of freedom. Acts empowering detention without trial have been on the statute book almost without interruption since Independence although, before Independence, Congress leaders called such laws as lawless laws and even the late Pandit Jawaharlal Nehru once thundered that a Government which relies on detention without trial does not deserve to exist for a single day. From the time of Independence till today the detention without trial is there.

Today, after the Supreme Court struck down Section 17A of the MISA, the Government of West Bengal, with the connivance of the Central Government, far from rendering account for having detained thousands unconstitutionally and illegally, continues to keen them in jail under some pretext or other The hon. Member, Mr. N. N. Pandey who spoke from the other side, said that they have respect for the Constitution and respect for the court. Where is the respect for the Constitution and the court? When the court has struck down Section 17-A of the MISA and said, "release all the people", they are not released. They are being kept in jail. The Advocate-General says, "Give us some time. We will make some alternative arrangement to see that they are put inside the jail" You do not have any respect for the Constitution or the court. When the court strikes down Section 17-A of the MISA as unconstitutional and illegal, the Advocate-General says "Give us some time because we want to keep them inside the jail."

You have no respect for the Constitution and the court. Whatever you say, we respect you. But we want to say, don't do this. You may find fault with us. We don't understand this.

Sir, some years ago I had been a frequent visitor to the Supreme Court and the High Court....

AN HON. MEMBER: As a witness?

SHRI A. K. GOPALAN: Not as a witness, but as an accused.

I know something about Supreme Court and High Court. My own experience is there.

As for the Supreme Court, it laid down one case law when I challenged in 1051 the Preventive Detention Act. After following that case law for nearly 20 years my friend, Mr. Mohan Kumaramangalam, will please hear this it changed it without stating any reasons in the Bank Nationalisation Act case in 1970. Why? Why was a case law laid down for 20 years and why was it changed after 20 years? In my case, it was laid down because it was a question of personal freedom of a man. In the Bank Nationalisation case they changed it because the question of property right of the business people was involved in it. (*Interruptions*). I am explaining here about the court You may agree when I come to the conclusion here, but you may not agree when I come to the last conclusion. As far as this is concerned, I entirely agree that the case law was there for 20 years; that was there because they wanted to keep me for five years inside the jail. And they changed it when I came out of the jail after five years. In the Bank Nationalisation case they changed it for some other reason; they changed it because it was not a question of personal freedom, it was a question of property rights.

When Shri E.M.S. Namboodiripad stated that 'judges do not function in the vacuum and their thinking and judgment are bound to be coloured by the class character', that simple, objective statement was held to be contempt of Court and the Supreme Court exceeded all bounds of judicial propriety—and the present Chief Jus-

tice was also one of them—and said that Shri E.M.S. Namboodiripad did not know Marxism and they asked Shri E.M.S. Namboodiripad to learn Marxism. He had only quoted what Marx has said about the class character of the court and that statement was held to be contempt of court and in the judgment they said, 'We ask Mr. Namboodiripad to learn Marxism because he does not know Marxism'.

Some of the Supreme Court judgments vartually decided that the existing property relations could not be radically altered by Parliament and and assured greater security to big property holders. The Supreme Court, by its judgment on Bank Nationalisation Act and the Privy Purses Act, shocked progressive opinion. Its versdicts went in favour of the vested interests. It showed extreme solicitude for full compensation to the banks which made all talk of of nationalisation meaningless The latest judgment also did not fully accept Parliament's right to bring about radical changes in the property relations.

It will be realised that, when the Court invalidated parliamentary legislation, its effect was generally to protect the monopolists and big property holders in the name of equality and the fundamental right to hold property. Always it has done it in the name of equality and the fundamental right to hold property.

Those who are talking in the name of independent role of the Supreme Court should ponder over these realities.

However, till now, within the bounds of these class limitations, there was some hope that the Supreme Court would protect, to some extent, the citizen against patently arbitrary acts of the Executive. But the present appointment has shattered even that hope.

It is futile for the Government to seek a resurrection of a 15-year old recommendation of the Law Commission. I want to ask one thing. 15 years ago there was a recommendation the Law Commission made. Why did you not at least take the Parliament into confidence and tell them, 'This is the recommendation of the Law Commission that seniority must not be the criterion. So, we are going to depart from that.' As Mr. Rao said, it is not saying that Mr. Hedge has been superseded or Mr. Grover is superseded. Why did you not say before that this is wrong and that is correct and why did you not follow it? You are saying something and they are saying something. You say Mr. Hegde superseded and Mr. Grover superseded. That is not the thing. Somehow, for 15 years you have not implemented it and you have been following seniority. Then the Law Commission has recommended something. I wanted to see the report. It was with my friend, Mr Limaye. I could not see it. It was said there also that it should be stabilised. Not on one day you should come and implement it suddenly like an atom bomb. So, stabilise it. You have been following seniority for the last so many years. and to-day you want to change it. When did you do it? What is the occasion? A judgment was given where the three Judges went against the Government, and the next day you are doing it and you say 'Seniority will not do'. Will the people in this country believe it? Then the Judges come out and say, 'I gave a judgment agamst the Government. That is why I am superseded.' The people will believe it. Mr. Hegde says 'I gave a verdict against the Prime Minister in the election petition and because of that I am superseded' It is that which the people will believe. It is a question of how you do it and when you do it. What is the occasion you have taken? What is the propriety of it? What are the circuumstances in which you have done it? Why don't you take the Parliament into confidence? Why don't you stabilise it? One day one criterion and other day the Law Commission's criterion! Nobody will believe it. It is certain that even the

SHRI A. K. GOPALAN: The Judges of the Supreme Court must toe the line of the executive so that whatever the executive say, they must be afraid and they must do what you say. You want to suppress the Opposition. When they interpret a legislation you do not respect them. You do not respect the constuitution of the Supreme Court. When they strike off some legislation, you do not implement it. You by-pass it and then do something against it and when they do anything, you threaten them. That is what is being done. That is the meaning of it. Don't think the people of this country are fools. They can understand it. One day you say seniority and suddenly, after this judgment, you say there is a Law Commission's recommendation that seniority should not be the criterion, and you supersede the three Judges who have given a judgment against you. You say, 'We want good Judges and progressive Judges.' As far as we are concerned in my case they have said that the section, that was there, that section is taken away. That means that they are progressive now and the Government is reactionary. When Sec. 17A is struck off, that means that the Judges are reactionary and when the Government is not implementing it, then the Government is progressive. Why this circus of reactionary and progressive..... *(Interruptions)* It is all wrong and you cannot fool anybody and the way it was done, as far as our stand is concerned, as far as the Supreme Court and its Judges are concerned, we have our own opinion. They belong to a class. Their judgment will help the propertied class. The exploited class will never be benefited. But here, in this appointment of Mr. Justice Ray, what is done is that it was done with a motive, with a purpose to threaten even the Judiciary and say, 'You be very careful. If you go against us at any time, this will be the result.... *(Interruptions)*' We are opposed to it.

SHRI VAYALAR RAVI (Chirayinkil): Whenever the *status quo* is changed, an uproar and panic is raised in this country. Just I was hearing the speech of Comrade AKG which provoked me to ask a question The question is very simple. He said that the judges belonged to the property class. But he never said what the remedy for it was I expected he would suggest a remedy Unfortunately, he avoided that

SHRI A. K. GOPALAN (Palghat): The remedy is that judges should not be appointed by the President or the cabinet. They must be appointed by Parliament where, though the ruling party has got a majority, at least there will be a discussion.

SHRI VAYALAR RAVI: I do not know how a discussion in Parliament will change the character of the judiciary. Unfortunately, he has tried to side with the reactionary group. Of course, that is the new line of the Marxist Communist party. I have no objection to it. The whole allegation in the country today is that, even judges and political parties say it, it is politically motivated. I do like to ask the question who injected politics into the judiciary. If you trace the whole history back to 1967 there was a Chief Justice named Subba Rao Even during his tenure as Chief Justice he decided to contest the Presidential election in the country. I accuse Mr. Vajpayee and his party because they discussed with Subba Rao about his election and they decided in his presence to contest the election. Can they deny? Many of the political parties are a party to it. So, you injected politics into the judiciary and Subba Rao contested against Dr Zakir Hussain. That is the political activity that you injected into it. Where is Mr. Subba Rao today? What has he been speaking all along? He has been justifying Golaknath's case which has been struck down day before yesterday. Then a word about B. P. Sinha. Let me refer to the book written by Setalvad in which he criticised Mr. Sinha. Mr. Setalvad also says that democracy is in great danger because same Judges have been superseded. Shri Justice B. P. Sinha deliver-

a judgement in favour of a monopoly house just before retirement and he joined that black-listed monopoly house as a top man. Here democracy is protected because he protected and joined that monopoly house! Where is the moral courage of you gentlemen sitting on the other side to protest against Mr. Sinha? None of you protested. (*Interruptions*)

Then we go to Mr. Shah. After he delivered the judgement on bank nationalisation case where is he today? He is drawing more than Rs. 1 lakh now. So, who injected politics? Are not the monopoly houses and their interest protected every time? Then I come to Mr. Hegde's statement. Mr Hegde says: "Mr. Gokhale is the greatest danger to the bar and the bench". He also accused Mr. Mohan Kumaramangalam as the super Law Minister and he has also said that the Prime Minister is prejudiced against him. Sir, his opinion has not been formed in a day. It is an opinion which he had been keeping in mind for long. He is admitting the fact by saying that "his supersession did not take him by surprise, that in a way he was prepared for it". It means he was expecting it. How can we expect justice from a prejudiced man sitting in the court and delivering judgement? Can we expect justice from a prejudiced man? He has made a very unbalanced statement today. You have to check up the whole history of this man. I heard the report that he has been offered a Rajya Sabha seat from Mysore. So, I accuse Mr. S. N. Mishra and his party. They instigated and injected politics into the judiciary by offering a seat in Rajya Sabha to a judge and instigated him to resign. He says he will fight politically. Against whom, Sir? So, the Rajya Sabha is better for him, and he can come there, and we would welcome him there. So, there is no doubt about who is in politics. It is these political parties sitting on the other side who are injecting politics in order to protect their vested interests.

Again, what has happened to the Fundamental Rights case? It was Mr. Hegde and his company who were inhuman and cruel on Mr. Justice Beg. When Mr. Justice Beg was in the hospital, they pressurised Dr. Caroli to give a certificate that Mr. Beg was mentally weak to sit and write any serious matter such as the judgment. For what purpose and for whom did they do this? With authority, I say that Dr. Caroli was pressurised to give such a certificate. Is this not politics? Is this not politically motivated? Who motivated all this politically? Was it Mr. Hegde and company or was it Government which got such a certificate from the doctor? It is high time that this kind of thing is put an end to. There was also a big and heated exchange which was not allowed to publish that happened between Mr. Palkhivala and his company with the judges and between the judges, that they wanted to avoid Mr. Justice Beg to come and sit on the Bench and give the judgment. This was what happened. I also allege with responsibility that there was a dinner at the house of the Chief Justice, to which he invited only seven judges, as though the other six were not judges who could be believed. He invited only seven of them. And who else was present? There was the leading advocate who argued the fundamental rights case, and leading man of a monopoly house present there. They discussed the matter there and decided. It all happened at that dinner, I know there was a dinner for this purpose. So who injected politics into this? Who injected politics into the judiciary? It was those people who were for the vested interests, Mr. Piloo Mody, the sole agent of monopolists, Shri Frank Anthony, who argued for the British and who was always behind the British.

Then, take the case of Shri M. C. Chagla. He has also become the Champion of these three judges now. But when Shri Jawaharlal Nehru was

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the Prime Minister, Mr. Chagla was prepared to supersede Shri Patanjali Shastri and come to the Supreme Court. So, where is the question of principle involved? No principle is involved, and there is no morality also involved here. He agreed to come to the Supreme Court as Chief Justice overriding the seniority of Shri Patanjali Shastri. Is there any principle in this? It is only the disgruntled elements who are injecting politics into the judiciary and making the noise.

Again, in my own State of Kerala, there was a law passed by our Government to give tenenacy rights to thousands of tenants. Our Government argued the case in the Supreme Court, and it happened that they were with the people and not with the vested interests. But who argued the case for the vested interests? We know who did so.

Then, there was reference to Shri Subba Rao also. We have seen Shri Subba Rao moving around and canvassing for votes. But we know that all those for whom he canvassed the vested interests lost their deposits too, because the people did not want them.

So far as this question of supersession of Shri Hegde and company is concerned, I do not want to say anything personal in regard to him. But I would like to read out just one sentence from his press statement, where he says that democracy is in peril. He says:

> "If the test of merit depends on one's submission to the dictates of the Government, then undoubtedly the superseded judges do not possess these qualifications.... I know the record of my colleagues.".

This means that all the judges remaining in the Supreme Court are subjected to the pressure of Government and the dictates of Government. Suppose after three years, Mr. Grover retires and somebody else becomes the Chief Justice among the remaining judges, does it mean that democracy is in peril and that the remaining nine judges are subjected to the pressure of Government?

It has been suggested that there has been irregularity in the appointment of judges of the Supreme Court. But nobody has suggested any method for the selection of the judges of the Supreme Court. They are only objecting to the supresession and saying that three judges have been superseded and, therefore, democracy is in peril and democracy is in danger. I say, Sir, that this is nothing but politics.

My hon. friends have tried their best everywhere and they have failed. They have tried to fight everywhere, but they have been defeated by the people by and large. So, they are now taking Shri Hegde and company in a big procession, and wall-posters are coming up to say that they are holding a big reception at the Ramlila Grounds where even my hon. friend Shri Atal Bihari Vajpayee is expected to speak. Sir, is this not politics? What do my hon. friends mean by this? Who is ridiculing the judiciary? It is these people sitting opposite who are ridiculing the judiciary.

They are making allegations against the Chief Justice, against the 9 Judges who are sitting in the Supreme Court today, that they are subjectd to pressure. It means that if Mr. Hegde is not appointed Chief Justice, it is very bad; if we appoint him Chief Justice for three years, everything is all right. Is that not the meaning of this allegation? This is the allegation they make. They are agitated because it was Hegde who protected their interests everytime. Everytime he had been doing it.

We come here to protect the interests of the people. We are here

to give effect to the will of the people. We have been elected to this House to work for the betterment of the people. So this Government derive their authority from the people. This Government is here to protect the interests of the people. So we have to make legislation to serve the interests of the people. That is why we have been making progressive measures. Unfortunately, the Supreme Court had taken the stand that they were a super Government. They do not derive authority from the people. They are nominated by the President. We derive authority as the representatives of the people from the people for the welfare of the people. Therefore, the Supreme Court is not a super government. They have no such authority. They cannot challenge Parliament in this respect at all.

So we have to work for the betterment of the people. We must see that the will of the people prevails. It must always prevail.

Shri A K. Gopalan said that the Supreme Court was changing its views every day Even in regard to the Golak Nath case which was decided by Mr. Justice Sikri and Mr. Justice Shelat also, now they themselves say it was wrong So they have changed their opinion. They cannot keep on holding to a consistent opinion

Shri Madhu Limaye quoted what Mr Hegde had said. He said 'I delivered judgment against the Prime Minister' But along with him, there were also Justice Mathew and Justice Jagmohan Reddy. They also fully agreed to it. Now they say that Justices Mathew and Beg are subjected to pressure. This is a self-contradictory statement. If Justices Mathew and Reddy had also delivered that judgment against the Prime Minister, how can Mr. Hegde claim 'I did it'?

Reference was made to the question of majority. I ask a simple question. How many of the judges resigned? Only three. Nine are still there. It means the majority are with the decision of Government in superseding the three Judges and appointing Mr. Ray as Chief Justice. They are not resigning. If they have a moral objection to this, they must have the moral courage to come out. But none of them was prepared to resign. I know it is because they have got the moral courage to show that the decision taken by Government is the correct decision. The majority of the Judges have taken this stand. I say it is for the betterment of the people, it is to protect the interests of the people, it is in furtherance of a progressive social society.

SHRI H. N. MUKERJEE (Calcutta North-East): It is understandable that there is something of a storm over the appointment of the Chief Justice of India superseding three of his colleagues who have resigned in chagrin. I feel there should be a limit to the indignation which some quarters apparently have been able to muster over this issue. There should be in Parliament at least a little effort to go to the root of the whole matter.

Apart from press reports of frenzied conferences held by the three Judges who have resigned, I get from faraway Bangalore and from a mock and mild old liberal, who I did not even remember was alive, Shri P. Kodanda Rao, a cyclostyled request for participation in a campaign asking the whole judiciary and the Bar Councils in India even to go on strike protesting against what has happened There must be some method in this madness, some organisation of forces operating somewhere to goad an inoffensive old man, who retired perhaps 25 years or more ago, to send us this kind of circular.

I might also say that it is good that the mask of the judicial detachment which is paraded as a great

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virtue of bourgeois set-up has fallen off. I feel sore in this connection, when I recall judges on the Bench moralising with unction. I had a very long time ago read in a book by the celebrated English writer, Somerset Maugham—I am quoting—who said:

> "I have wished that besides the bunch of flowers at the Old Bailey, His Lordship had a package of toilet paper which would remind him that he was a man like any other."

These judges are men like any others, and I might even have a little sympathy with the three gentlemen who have been superseded, but now about the stupendous hullabaloo which has been raised over this incident? That is something which I wish at least to try to probe.

One has assumed that the Heavens are falling on account of the supersession. Supersession not only in the case of the judiciary, but in so many other spheres is happening everywhere all the time even at the highest judicial level. Lawyers from Calcutta—I am afraid my friend Mr. Ashok Sen is not here but some others are here—would recall that only a few years ago, Mr. Justice P. N. Mukerjee's claims were disregarded and, with the most dismal and drastic results to the detriment of the dignity of the judiciary, another Mr. Justice P. B. Mukerjee, was appointed, leading to many scandalous occurrences, to which I drew the personal attention of the Prime Minister and also spoke in Parliament in the presence of Mr. Gokhale. But nothing of course took place. This kind of thing goes on and I wish to remind my friends all over the place that supersession is something, right or wrong, which has been going on all the time. But the hullabaloo started on this particular issue.

SHRI PILOO MODY: So long as Mukerjeeism thrive, it is all right.

SHRI H. N. MUKHERJEE: I know the main brunt of the contention here is that power is being abused. One may disapprove of power with a big 'P', which I certainly do, because power concentrated in the way it is in the hands of the Government, which means the Prime Minister primarily and her crew very, very secondarily, this power, is a perilous proposition no doubt. Power has a tendency to corrupt as everybody knows. Without power, the machine of the State also cannot run and it is the purpose of Parliament to see that power is vested properly, and that can be only determined by the democratic process which has been tried to the extent possible in our country, and we can only try to see to it that power is not exploited in the wrong way.

In so far as judges are concerned, we have stated our position in our own election manifesto. It is not a decision which we have suddenly arrived at because of Government's difficulty over this supersession business. In our election manifesto we had asked for prior parliamentary approval to high judicial appointments. I wish we can all demand it. Mr. Gopalan has referred to it and a question was asked, and I wish everybody joins together, even from the Congress ranks, though Mr. Vayalar Ravi did not seem to appreciate the importance of the suggestion. But we can have some sort of parliamentary organisation, not consisting of the whole House perhaps, but some way of associating Parliament with appointments to high judicial posts, to appointments to Governorships, to appointments of Ambassadorships and that sort of thing. Our friend Mr. Limaye, who is working as a sort of a non official drain inspector, the other day gave us a very wonderful report about the misdeed of a particular Governor, who could not be

defended by Mr. Chavan on that occasion, because that Governor, the former Governor of Gujarat had been denounced in the strongest terms by the highest judiciary in the land. In regard to these appointments, we could have some kind of a parliamentary apparatus. To this Government should try to give effect.

But the real issue today as far as the motion is concerned, is not seniority and succession. The vital issue is that vested interests of landlords and monopoly capital have been successfully using the judicial process to defeat the measures of socio-economic amelioration. From the first amendment of 1951 to the 24th and 25th amendments of last year, it has been the same story. The battle has become more acute and serious since 1969 when the Government nationalised banks, abolished privy purses and decided to take over some of the areas of monopoly capital. The Government did not move as strongly as it ought to have done on that occasion to prevent the judiciary doing the sort of terrible damage to the economy of this country and to the moral spirit of our people when it could stop the judiciary hindering bank nationalisation by putting, I do not quite remember how many more crores into the pockets of bank magnates and then trying to stop the taking over of the privy purses and all that sort of things But of course we found the judiciary performing a certain role. When the judiciary itself fights a political battle, as it is doing today, in the shape of the three judges and their campaign assistants in defence of vested interests, if a beginning is made at long last to ease out the reactionary occupants of the Bench, it is to that extent a good thing That is why we support the Government's action. It is the beginning of a good thing, a very minor, very small, very preliminary step in order to weed the judiciary of those elements which stand in the way of socio-economic advance. We have today the delicious spectacle of three judicial musketeers calling on the Bar and the public to fight the totalitarian trends. They have been shown the door politely. But the conduct especially of Ex-Justice Shri Hegde the self proclaimed crusader who has said he would not rest till the battle is won suggests that perhaps they really deserved the order of the boot. The proverbial wisdom of every people in the world called the law an ass. These learned ignorant muses are indeed the limit. Beyond their understanding is the dictum of Mr. Justice Oliver Wendell Holmes lying dead in the United States.

Mr Justice Oliver Wendell Holmes had given us the classic saying: "The Inarticulate major premise of judges in the bourgeois set up is to appoint him Chief Justice for three inviolability of property" That exactly is outmoded in the world of today, outmoded in India which it should be the task of this Government to try to lead and mould We have seen how after a kind of a mighty smirk on his face when the Golaknath case was over and propitious circumstances were available, the former Chief Justice Mr Subba Rao shed his judicial cloak in a hurry to don the robes of the President It was a long term plan which fortunately went away on account of people becoming rather cautious at that point of time. For nine years the Golaknath judgment has been allowed to hold progress. Its belated and half-hearted striking down has little value today in view of the nullification by a majority of the present Supreme Court Bench of Article 31(c) of our Constitution.

18 hrs.

The alacrity with which the Courts admit writ petitions against Government measures of take-over, the way dishonest employers are treated leniently for attacking the workers and

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are given back factories in spite of proved fraud and misdemeanour of different descriptions, the way their dishonesty is sugarcoated when their cases are pleaded by black money-grabbing and eminent jurists—some are occasionally found even in this House—all these vividly show that at last class policies are being cleverly quoted in velvet legal phrases and are being assisted by the judicial process as is administered in our country to-day.

I find here the ex-Chief Justice, Mr. Sikri saying that the appointment is 'political'. Wasn't the Chief Justice Mr. Sikri's own judgment striking down Article 31(c) 'political'? Wasn't the Golaknath's case decision 'political' when Parliament had to take a very serious note of it? We could not do so because we were not sure of the reactions of the Government. Was this only a slight and unavoidable change of front which was being practised by the Supreme Court Bench? Was not the Chief Justice, Mr. Sikri, by meeting some of his colleagues separately from the rest, playing politics of a sort which, I should say, for a judge of his position, was a dastardly proposition? Didn't he, in issuing orders, which four of his colleagues have refused to sign,—rightly, according to a person so devotedly a seeker of juristic principle as Shri Seervai, Advocate General of Bombay High Court—show a peculiar variety of the most nefarious politics? Mr. Justice Hegde, till the other day perched on a judge's supposedly olympian height, hitting the headlines, howled like hell at press conferences and places. I suppose that is the prolegomena for entry into public life. If that is so, he is welcome to do so.

It may be that the Prime Minister might have felt some personal pique against Mr. Justice Hegde who says that she based it on 'information and inference', but the song and dance he makes about his exit from office is a disgraceful commentary on judicial behaviour. If in the Rajya Sabha someone from my party had said that he should not be Chief Justice of India, how right he was. Somebody gave me—I do not myself know him because I am sitting here and I got this note from him—the bio-data of Mr. ex-Justice Hegde, from the Rajya Sabha's Who is Who. I do not know him, particularly, though I know him by reputation that he was, on his own description, a Secretary of the Landholders' Association, a Director of several joint-stock companies and a Chairman of the Board of Directors in 1947. This is from the Rajya Sabha's Who is Who. Here is a man who comes forward and says that he is fighting for the principle of democracy. He is a paragon of excellence in so far as championship of democracy is concerned. I grant Shri Hegde the right to be angry—but again there are limits—his hypocritical politeness towards the new Chief Justice broke down as he told the press conference that the Prime Minister chose him because she wanted someone 'subservient'. He used the word 'subservient' to be exact. He acquired this hypocritical politeness to perfection, perhaps, when he was functioning on the Bench. I am not concerned with personalities but with principles. Even so, I must say one thing, because the name of Chief Justice Ajit Nath Ray has been mentioned very often. He and I have known each other nearly all our conscious lives. You may laugh at it. He is a conservative by temper, a liberal by training and a man of decent instincts—the law should be better known and better talked about by other people; the redeeming feature about him is his predilection for dignity and grace and a sense of judicial attachment, on account of which I can swear before anybody that he is the type of person who would not go and wait upon people

in high places, who would not even go and meet big people however highly placed they may be, let alone kowtowing to them. He is a man whose legal qualifications are a question to be decided by other people if they want to discuss it; I am not interested in that sort of thing. But here is a man about whom the accusation of subservience is completely wrong. He stands on dignity sometimes in an almost laughably exaggerated fashion. He would keep away and will not go and see the Prime Minister unless it is for some reason absolutely incumbent even for a man of a Supreme Court Judge's stature. This is the man whom the Hegdes of creation try to malign, whom in a moment of madness perhaps my long time friend Shri Frank Anthony, who had gone berserk the other day—unfortunately he is not here today—described in my presence as a communist stooge, a silly and senseless thing to say. As I said, he is a conservative in temper, a liberal by training, a man who is already in the Supreme Court and he is appointed as Chief Justice—a man who has dignity and grace about him and who has got judicial detachment—he was described by Mr. Anthony here and by Mr. Hegde outside as a communist nominee. If I am going to appoint anybody let alone as Chief Justice, even as a judge, I would not appoint Shri Ajit Nath Ray on the basis of his communist affiliation. On the contrary, I know he is absolutely allergic to any kind of politics, let alone radical or revolutionary politics of the sort that the communists and other peope like them profess.

Mr. Madhu Limaye is entitled to make diatribes against Government. Whatever happens, he attacks the Prime Minister, the Nehru name and everything. He is entitled to do that sort of thing; I do not mind. But in so far as the supersession is concerned, I say to the Government, "Better late than never. Go ahead and reshape the judiciary if you want to make sense of socio-economic changes under the Constitution." I am glad Mr. Vayalar Ravi said it. Mr. Seervai, than whom there is no better lawyer, no deeper scholar in law in this country, quoted that Latin saying which everybody knows and which you and I had to learn once upon a time—*salus populi suprema lex*—the welfare of the people is the supreme law. Go ahead on the basis of that and tell these people who are now shouting in unison on the side of the three superseded judges on account of certain politico-economic motives that Abraham Lincoln in his wisdom has said that the people have a contingent right of revolution and when they cannot change the Constitution by constitutional means, they have the revolutionary right to subvert it. Now you have to make sure that your Constitution works. That is why in bourgeoise America, when the New Deal came in the early 30s, President Roosevelt made it very clear, openly and publicly, that the Supreme Court Judges would not be allowed to monkey with the changes which he had in view in order to secure a new life for his people When that statement was made, then the Supreme Court of the United States fell in line because they knew that with the support of the people behind him and with the desire of doing something great and big for the sake of the people, President Roosevelt had given them a warning which they do not dare circumvent.

Tell our judges and everybody, tell the lawyers who are thinking of going on a strike—we know how far they can go—tell them it is not possible, nor desirable, nor a duty for them if only they think a little more seriously than they are accustomed to, and they should not do that sort of job which they are doing at this moment.

If this country, therefore, has to go ahead let us make sure that the

[Shri H. N. Mukerjee]

attempts, judicial and other, to scuttle land reforms legislation, like the Kerala Act, or take-over of foreign and native monopolies are successful.

The three judicial resignations and the campaign around them must not be allowed to hide the design, the campaign the danger that is still there. The resignation was not in defence of someone's seniority rights, which never existed, which was never there at all, but they are in defence of men of property, not in defence of the overwhelming majority of our people who have no property at all. Let Parliament re-enact article 31C with suitable built-in safeguards against the judicial intervention of another sort so that they cannot be impugned and let this elected Parliament be enabled, if that is possible, to supervise how our country should be administered. Let not the wise men of the Bench, wise as they are in the lore of the law, let not those wise men of the Bench, in Delhi or elsewhere arrogate to themselves the power which vests in the representatives of the people in the sovereign Parliament. That is the principle which is at stake, and that is the principle for which the fight has to be conducted, not the footling little references irrelevant to the basic issues regarding the supersession of X, Y or Z for whom we might have personal sympathies.

Look into the basic things and find out what ought to be done in the condition of this country. Do not leave it to the judiciary, which has a record of always being on the reactionary side.... (*interruptions*)

I have my grouse against the Government and on many occasions I have expressed my views on the way in which the concentrated powers appear to be exercised from time to time. Even though I am ready and willing to join hands with whoever brings up a genuine reason for real dissatisfaction against the Government's activity, here is an occasion when off account of footing little trivial issues we should not forget our mooring and we should do our duty as Members of the Parliament of India. We should not kotow to a principle which has been linked up with the right to property. And that is why I say that even though we have many a grouse against the Government, many a contention to carry on, on this issue they have done nothing so particularly wrong. The supersession of three people is a very ordinary matter compared to so many other things which have happened before. It is time that Government continue this policy. This is only the first step, not the last step, a very small step, a preliminary step to make sure that the socio-economic reconstruction of our country is not going to be interrupted or upset by judicial pronouncements.

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMANGALAM): Mr. Speaker, Sir, perhaps the debate has been a trifle flat, certainly not reflecting the noise and the manner in which a campaign has been sought to be built up against the Government on this question during the last week. But while trying to deal with these matters, I shall try to do it in terms of the fundamentals. I do not think this is a trifling matter. It is a matter of very great importance, a matter which has, naturally, roused the interest of hundreds of thousands of people and, particularly, of members of the profession to which I have the privilege to belong.

I do not think there is any doubt on the question of power. I do not think anybody who reads the Constitution as it should be read in terms of the words which are used can doubt article 124 which vests the power to appoint Judges of the Supreme Court, including the Chief

Justice, in the President, advised by the Council of Ministers, as has been done in a number of cases. I do not propose to go into that now. I do not think it is necessary to do that. There is nothing about seniority, nothing about particular considerations which should guide the Government in making the recommendation to the President. Only there is the qualification that he must have been a Judge of the High Court for the last 5 years and an advocate for the last 10 years or, in the opinion of the President, a distinguished jurist. Therefore, there is no objective test or means to guide anybody as to how exactly a decision is to be arrived at regarding how the Chief Justice is to be appointed.

There is no duty laid upon the Government or the President to consult the Chief Justice on that particular appointment, namely, the appointment of his successor. I think, we should take it as such and I do not think that is really an issue today.

What is really the issue? It is: Why is it that we have departed here from the practice of appointing the senior most puisne Judge of the Court as the Chief Justice, a practice which by and large we have followed for the last 23 years? The only exception was that of Justice Imam—that is for other reasons.

We have been charged with raping democracy, destroying the indpendence of the judiciary so many other adjectives have been used, so many hyperboles have been wasted in the last one week. I do not think it is necessary for me to comment on that. Let us go to the crux of it. Is seniority a proper principle for us to observe? Is that the way in which we should arrive at a proper conclusion as to who is the most suitable person to be appointed? Are these the only considerations? What about the accident, as it were, of the appointment of a particular person on a particular date in the Supreme Court so that he crawls up the ladder of seniority and, ultimately, reaches the floor of the Chief Justice? I do not think that we can answer this question if we do not take into consideration the background in which this appointment was made.

Let us not forget the last six years of background of what can only be described as a confrontation between Parliament and the Government on the one hand and the court on the other. I do not think we should forget that fact. Some hon. Members may feel that the court was right and we were wrong. That is not the point. The point is that there has been an atmosphere of confrontation. There has been an atmosphere in which the court looked at things in one way and we looked in another way. Let us not forget that ever since the Golaknath case judgment was delivered, we have had a difficult period. It was for the first time that in the Golaknath case the certainty with which all of us looked at article 368, interpreted as it had been done on two previous occasions, first by the unanimous decisions of the Supreme Court in the Shankari Prasad case and then by the majority judgment in the Sajan Sing case, was turned into uncertainty.

There was a certainty that Parliament could amend each and every part of the Constitution, including Fundamental Rights. It stood the test of time for 17 years. When the Golaknath case was decided, by a narrow majority of 7:6, as it were, the whole trend was reversed and we were put into a climate of uncertainty. Apart from reversing the judgment and challenging the sovereignty of Parliament, we were put into a climate of uncertainty. We did not know what would happen next.

Then came the Bank Nationalisation Act. So far as the politics and economics of that decision of the Government was concerned, it was historic and it was welcomed throughout the length and breadth of the country. In framing the enactment,

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the Government, and later on Parliament in approving the enactment, proceeded on the basis of the decision of the Supreme Court itself in the Shantilal Mangaldas case, not straying elsewhere, not going on the basis of our own ideas, but taking the law as it stood, as interpreted by the Supreme Court. What did the Supreme Court do? It distinguished—that is the usual way when a judge does not want to say that the disagrees with the decision—the Shantilal Mangaldas case; in essence it reversed it and struck down the Bank Nationalisation Act.

So, we, again in a docile way, followed in the footsteps of the judges, reframed the Bank Nationalisation Act taking into account the new view, as it were, of the Supreme Court. I think, it cost the country quite a number of crores more.

Then came the order of the Government cancelling the recognition of princes. There again we proceeded entirely on the basis of an existing decision of the Court in Usman Ali's case where the Court had held that recognition and grant of privy purses was a political act and was not subject to judicial review. Once more, the Court distinguished Usman Ali's case and struck down the Government order. And that is what, ultimately, sent us back to the polls and the country sent us back to pass the 24th, 25th and 26th Amendments. This is the background, this is the history.

Therefore, the experience in the last six years has been an unfortunate one in these six years we have had this conflict throughout step by step, in which there are two aspects which we have to bear in mind; one, the uncertainty which was introduced into the very interpretation of the Constitution, so that we did not know whether tomorrow something else we did would or would not be set aside even where we proceeded on the very basis of the judgments of the Court itself; and secondly, major decisions of the Government and of Parliament in relation to major economic matters being set aside by the Court one after the other. Was it not right for us to take these into consideration? Was it not right for us to think in terms of a more stable relationship between the court and ourselves? Is it not good that we should have as Chief Justice of India a man who will be able to help to put an end to this period of confrontation, a person who will be able to ensure stability, certainty about the state of the law, a person who would be able to give a certain continuity, a certain permanence, to the approach made by the Court to the important problems that come before it?

I listened with interest to the speech of my friend, Shri A. K. Gopalan; it had a certain dichotomy, on the one hand so vigorous in attacking the Supreme Court for its attitude in defence of property and on the other hand so weak in the end when it came to draw the conclusion regarding why it was that the Supreme Court did take this attitude of being against my good friend in 1951 when he came up asking for liberty and at the same time in reversing the view ultimately when men of property went in the Bank Nationalisation case and asked for the aid of the Supreme Court. But I want to say one thing right at the beginning.

When we try to think what consideration should move us in appointing a person to the high and exalted office of the Chief Justice of India, I think, we have to take into consideration—and we should not run away from that ordinary people, he is something life, his politics—not the party to which he belongs but what it is that makes the man—, through which spectacles he looks at the problems of India. To look upon a judge as something above the crowd, far away—to think that he is not like us, we are

ordinary people, he is something above, in the olympian heights he wanders, guided purely by the shining light of reason and nothing else—I think, that has no relationship to reality. And it is not I alone who thinks so. There are many others, and I quote now from one of the most brilliant jurists who sat on the Bench of the United States Supreme Court, Benjamin Cardozo, who put the matter in these words:

> "There is in each of us a stream of tendency, whether you choose to call it philosophy or not, which gives coherence and direction to thought and action..
>
> "....Judges cannot escape that current any more than mortals. All their lives, forces which they do not recognise and cannot name, have been tugging at them—inherited instincts, traditional beliefs, acquired conventions; and the resultant is an outlook on life, a conception of social needs, a sense in Jame's phrase of 'the total push and pressure of the cosmos', which, when reasons are nicely balanced, must determine where choice shall fall."

So also, our own Chief Justice, a former Chief Justice, Chief Justice Patanjali Shastri said on one occasion:

> "It is inevitable that the Social philosophy and the scale of values of the Judges participating in the decision should play an important part".

So you cannot run away from the fact that the way in which the Judges look at a matter, their philosophy and outlook, do determine the decision that they take. It would be foolish on our part to ignore it because the stress, the strain and the heat of controversy in our country over the resignation of these three Judges seems sometimes to blind our vision.

Let us go back 36 years, to 1935, 1936 and 1937 in the United States. The United States Supreme Court consisted of nine Pudges. Now, it is so pened in the United States in those days that four Judges, Justice M. C. Reynolds, Justice Butler, Justice Sutherland and Justice Van Devanter continuously and consistantly, without a single deviation, held against the New Deal legislation of President Roosevelt and three Judges, equally eminent—some consider them more eminent—Justice Cardozo, Justice Brandeis and Justice Stone continuously held that the New Deal legislation was valid, was right and proper and two Judges vacillated—Chief Justice Hughes and Justice Roberts. A commentator of those days described it this way:

> "The basic ceavage between judicial oligarchy and popular powe could no longer be concealed or circumvented. In one short term the Court had woven a tight constitutional web to bind political power al all levels....By the spring of 1936 it looked as if the Court had wrecked the New Deal on the shoals and rocks of unconstitutionality."

Now, what moved the learned Judges—4 continuously and consistently to vote in favour of the New Deal and equally consistently to vote in favour of the New Deal? All the seven were honest men. None of them had been sub-servient to the executive. Would anybody describe Justice Cardozo as subservient? Would anybody describe Justice Brandeis or Justice Stone as sub-servient? Anybody who knows the law and who knows the history of the law and who knows the history of the judiciary in the United States would not say that. On the one side you have four Judges who were very conservative, and you know their approach to life. It was a division in the minds of the Judges, not a division as it were in terms of their being paid to do this or influenced to do this. It is their own mind, how they looked at things in the United States. The conservatives who believed in going forward if at all they believed in going forward, honestly and sincerely were convinced that Roosevelt's radical programme spelt disaster for the United States and were convinced that they were the final guardians of the demo-

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cratic order just like Justice Hegde who spoke yesterday, the same words you can find in some of those judgments there. On the other side, the liberals, Justice Holland Stone and others continuously said that it was for the political party in power to decide what the policy was and they showed a sympathy for the New Deal legislation that brought America out of the crisis and collapse of the Stock Exchange in 1929-30 where millions were unemployed and where millions were asking for bread, so on and so forth.

I do not want to go into details, but what I want to emphasize is only this that the outlook of a Judge does determine particularly in the highest court of the land where his vote will fall. It is not that it is something abstract, something separate. He is right there in the controversy and, when the controversy is going on, he is influenced by what happens in the country just like anybody else.

I took the House back to the Roosevalt period only to underline the fact there is no such peculiar animal in the world as a non-political judge—a judge who has no opinion. Every man has opinions. He may be exteremely fanatical as Mr. Hegde or he may be just normal as possibly Justice Grover. I do not want to go into it. One can analyse them if one goes into details. It is not necessary. Then hon. Members may ask how is one to judge what the opinions of a judge are, what his outlook is, what his philosophy is? So, I thought that if I answered myself hon. Members on the other side would find it difficult to accept it, and so I looked around and found that the great apostle of the democratic way of life—even hon. Members on the other side will accept him as such—Abraham Lincoln had given an answer to this. He had appointed his Secretary to the Treasury, Chase, as Chief Justice of the United States, and he was asked: "how did you decide that Chase is a proper appointee? How do you decide what is his opinions were? What is the basis of it?" He said: "We cannot ask what he will do and if he should answer us we should despite him for it. Therefore, we must take a 'man whose opinions are known". And when Lincoln advised people to take a man whose opinions are known, he meant how he expressed himself, how he looks at life, how he looks at the imponderables—the clash between the directive principles on the one hand and fundamental rights on the other, whether one should give greater weight to the directive principles or greater weight to the fundamental rights. Read the 1600 pages judgement of the Supreme Court that has recently been delivered and all of us will know the opinions of each one of these judges. The six judges who have upheld the 24th, 25th and 26th amendments, each one of them, puts directive principles a little higher, fundamental rights a little lower; the due rights of a society a little higher and the rights of an individual a little lower. Then you go to the other six who have, on the contrary, said that they are the basic essential futures of the Constitution which should not be violated; fundamental rights are sacrosanct things which must be protected must be protected from the evil hand of the executive and everything must be done to implement the directive principles. You can see the philosophy, the outlook. Certainly, we as a government have a duty to take the philosophy and outlook of the judge in coming to the conclusion whether he should or he should not lead the Supreme Court at this time. It is our duty in the Government honestly and fairly to come to the conclusion whether a particular person is fit to be appointed the Chief Justice of the Court because of his outlook, because of his philosophy as expressed in his expressed opinions, whether he is a more suitable or a more competent judge. This is our prerogative as a Government and I say the Constitution has entrusted that to us. Undoub-

tedly, the hon. Members opposite if they come over here and sit here may disagree with us. They have every right to do that. No doubt, what I think is good in a particular judge in his outlook, Mr. Piloo Mody may not think is good. Well, we are entitled to differ. In a sense superseding a person does not involve any reflection on him because it is only through my spectacles that he has been judged and the gentleman who has been superseded may well say that he does not recognise those spectacles. It is upto him if he wants to take a position like that. What I want to say is that a duty is laid upon the Government that not merely must we take into consideration judicial integrity which we do, not merely the legal knowledge and skill which we do, but also the philosophy and outlook of the judge We are denounced for wanting committed judges as though we want the judges to commit themselves. We do not want any committed judges No judge has to commit himself. But we do want judges who are able to understand what is happening in our country; the wind of change that is going across our country; who is able to recognise that Parliament is sovereign, that Parliament's powers in relation to the future are sovereign powers Yes, we do say that. Those who are able to see that, those who are able to give that importance to those areas of the Constitution which according to us are decisive for taking our country forward, such are the judges, we believe, who can effectively work and help us in the Supreme Court This is how we look at it

I do not want to go into too many details, but some facts are necessary to be put before this House. Is it the hallmark of a democratic system that a judge who sits on the Bench of a court must be non-political and must have nothing to do with politics? Is that the hallmark of a democratic system? I use the words 'democratic system' in the sense in which it exists in the United Kingdom, a democratic system as exists in Canada, a democratic system as exists in the United States, a democratic system as exists in Australia. I think even according to hon. Members on the other side who are so vociferous or so excited over the whole matter, these are countries where the democratic system does exist. What is the position in those countries? Why do we not examine it honestly and fairly? Let me give you these few figures.

In America, 26 judges were appointed to the Supreme Court between 1933 an 1971. 22 of these 26 belonged to the party of the President in power, whether he be Republican or Democrat, that is to say, were members and prominent members of that party. One of the most famous judges of the United States Supreme Court recently, Chief Justice Warren was the vice-Presidential candidate of the Republican party in 1948, and in 1952 one of most active campaigners for Gen Dwight Eisenhower when he was elected President, and in 1953 sat on the court as Chief Justice and indeed earned a very high reputation as Chief Justice in defence particularly of the rights of the Negroes on the one hand and the rights of the individual on the other Justice William Dougles, who sat for 40 years on the Bench of the Supreme Court there was one of the strongest supporters of Roosevelt in 1933, 1934 and 1935, after which he was appointed to the Supreme Court

This is the way in which it is summed up in a book. I would not go into it further but I would merely quote this:

> "The reasons why Presidents have chosen particular men for the Supreme Court vary. Ideology has often played an important role in determining the nominee, though often other factors appear to have been just as decisive. Political rewards, personal friendship, party service, even prior judicial experience have been major

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justifications that Presidents have made for their Supreme Court selections from among the members of their own political party.".

We also did it only in one case, and we appointed one on this side of the House, a Member of the Congress party, and we plead guilty for that; once, we appointed a Member of Parliament as judge of the Supreme Court, no less a person that Shri Sadanandan Hedge himself.

Obviously, therefore, at least in the United States, politics does play an important part in the selection of judges to the Supreme Court. Now, let us leave America and let us go, let us say, to the United Kingdom, the home of democracy or the birthplace of the Anglo-Saxon judicial system What do they do there? In his book *The Machiner of Justice in England*, Mr Jackson writes—this is a well known and authoritative book on English Justice—

> "The best post of all, that of the Lord Chief Justice is virtually a reward for political service It goes by way or right to the Attorney-General, ",

v ho is a Member of Parliament, a verv influential member of the Government and sometimes a member of the Cabinet Jackson comments

> "Hence politics may not only secure a greater change of judicial office but may lead direct to the more desirable offices. A system of promotion would perhaps lead to far worse result Once a man is on the Bench, he should be as independent as possible; if by judicial conduct pleasing to the Government, he mighty secure promotion there would be the chance that he might be always thinking of his future career The pressing of political claims to appointment in England does at least end when the appointment is made; the debt is paid and the political account is closed."

So, it is no more and no less.

What about Australia? For the last seventy years,—I think the same gentleman continues as Chief Justice now since 1965—seven Chief Justices have been appointed. Out of them, two were members of the House of Representatives, that is, Parliament and also Commonwealth Ministers when they were appointed. One was a member of the House of Representatives and Minister before appointment, though later he was promoted Chief Justice. Still another two were members of the legislature before they became Chief Justices. Out of these, one was a Minister. So I think we cannot very well say there was a sharp dividing line in Australia between politics and the Bench.

Canada 44 judicial appointments between 1940 and 1960 to State High Courts, that is provincial Courts, and the Supreme Court of Canada. 25 had known political views 22 had elected political positions, many of them of provincial Cabinets Five held major political positions in this period former federal Cabinet Ministers, that is the Union, as it were, Cabinet Ministers, and one a former provincial Premier Out of 17 persons appointed to the Supreme Court of Canada, 10 were appointed directly to the Supreme Court most of them with previous political experience and career

So let us not start from the position that the hall-mark of the democratic system is a Chinese wall, a sharp dividing line, between politics on the one hand the Bench on the other But of course, our tradition is not the same. I do not recommend that more Hegdes should be put on the Bench, not at all.

SHRI ATAL BIHARI VAJPAYEE Mr. Ray should be made Chief Justice

SHRI S. MOHAN KUMARAMANGALAM: Perhaps on a future occasion if some hon. members show merit in law and skill in it, we may even appoint one from there. Do not lose

hope. But we in India have not adopted this course. Barring Hegde, we have not. I do not think we probably will. But we are entitled surely to look into the philosophy of a Judge. We are entitled to look into his outlook. We are entitled to come to the conclusion that the philosophy of this Judge is forward-looking and of that Judge backward-looking and to decide that we will take the forward-looking Judge and not the backward-looking Judge Surely that much of freedom at least should be given to us, without saying that we have raped democracy, that we have gone against all the principles of the democratic way of life Surely that much generosity we can expect from your side This is the way in which, I think, we should look at it.

Let me come finally, because I think I cannot keep away from it, refer to the very interesting statement made by our good friend, I must call him 'Mr Hegde' because I think he has now been elevated from 'Mr Justice Hegde' to 'Mr Hegde' There is one thing about Hegde's statement, if you read it carefully and objectively If anything it does, it breathes politics from the first to the last word . not law That is very clear.

AN HON MEMBER Dirty politics

SHRI S MOHAN KUMARAMANGALAM None but a politician could have said what he has said

SHRI ATAL BIHARI VAJPAYEE After resigning

SHRI S MOHAN KUMARAMANGALAM He thinks that the Prime Minister has got an 'animus' against him because he decided a small interlocutory matter in an election petition, not an election petition, let us be clear.

SHRI SHYAMNANDAN MISHRA: Everybody understands it.

SHRI S. MOHAN KUMARAMANGALAM: I know my facts.

Now the trouble is—it is interesting to read what he has said:

> "I cannot give any conclusive proof"—

he cannot give it—

> "but I am convinced that she is quite piqued with me".

I am a bit worried, because listening to my good friend, Shri Madhu Limaye also, I was a bit worried because he has formed a high opinion of Justice Grover because Justice Grover decided a case in his favour. He thinks that the Prime Minister is piqued with him because he decided a case against her (*Interruptions*)

SHRI PILOO MODY Which makes both of them human.

SHRI S MOHAN KUMARAMANGALAM The trouble is that neither Mr Madhu Limaye nor Mr Hegde

PROF MADHU DANDAVATE In one case liberty was involved, in the other case, corruption was involved

SHRI S MOHAN KUMARAMANGALAM I think it will be helpful if you would advise your friend when you meet him next, because he is not here at the moment that he and his friend, Justice Hegde, should not judge the Prime Minister by that standard The Prime Minister does not take a like or a dislike to a Judge on the basis of what the Judge decides That is irrelevant, that is not in the picture It is unfortunate that you should have descended to that level that you look at things in that way. It is a sort of hitting at the ground level, try to lift yourself up if you can.

I look also with a certain amount of sorrow at the way Justice Hegde has charged me and charged of course, my colleague, the Law Minister I am supposed to have used 'democracy as a cover', whereas with him it is an 'article of faith'. I do

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not quarrel with it. He has charged me with having the aim of 'sabotaging the present Constitution', that I have entered the Congress Party only—I quote—as 'an act of strategy to capture power from within'.

SHRI PILOO MODY: Correct.

SHRI S. MOHAN KUMARAMANGALAM: Of course, I have been hearing this all along from Shri Piloo Mody and Shri D. F. Karaka, the two most voluable people on this question. I have enjoyed it. They hold these political views and so naturally they have been airing these views. But now I realise that apart from these two gentlemen whose prejudices always blinded their political vision, there is a third one. So, let him go. I have no objection; none at all. (*Interruptions*) Mr. Piloo Mody talks of four Marx brothers; I can now talk of three blind mice; D. F. Karaka, Piloo Mody and Sadananda Hegde. That is all I can say about it.

Anyway, to come to more serious things; leave alone all these petty, personal attacks which unfortunately drags Mr. Hegde down I can only express my sympathy; I can sympathise with him. After all, he thinks he has been a little cheated out of the fruits of his job which he was expecting; the fruit of Chief Justice-ship to land in his lap which unfortunately we have taken away from him Naturally, he is bitter. It is human nature. I do not quarrel with him for that. But the most important thing that he said was this; that India could only survive with a strong oppositon; enlightened public opinion, a critical and independent judiciary. According to him, there is no strong opposition, with apologies to you all sitting there. There is no enlightened public opinion, because 50 per cent of our people are illiterate. I wish Mr. Hegde would go to the countryside and talk to the electors, and then he will realise how wise our people are, literate or illiterate. They know their interests much better than Mr. Hegde does.

Finally, Mr. Hegde says there is no press. The gentlemen up there, members of the fourth estate, will please understand that their only freedom in India is to praise Government; every day, we read the newspapers, and we find them full of praise for the Government; nothing else! What a lovely situation would it be? But this is how Mr. Hedge looks at things. What are we to do with a man who is not able to read the newspapers properly and says that newspapers are only ful of praise for the Government But fortunately or unfortunately, I do not go further into it, we like this controversy; we like the heat of controversy out of which truth emerges. But for Mr. Hegde to cheat himself and deceive himself, to what end? Ultimately, he says there is no opposition; so you are out. No press: they are out; No people; India is out So, what is left? Mr. Hegde. Therefore, we have the judges. They are to protect you, because you are no use to protect yourselves They are to protect the law; the people are also no use They cannot protect themselves, and they have to protect the people And now, because he cannot protect them, because he did not become Chief Justice—of course as Chief Justice he can but as a judge he cannot—here comes a Gala had of democracy to lead the great army that is going to protect it. But how can he protect them outside? Only judges can protect, according to him. How political is this approach? That is what I want to say. How political?

All the other things he said are products of bitterness; are products of disappointment; products of sorrow. I forget them. They do not matter. But it is not a question of forgiveness here. It is a question of understanding; of assessment of the matter, how political he is. Naturally, are we to be surprised that even *Hindustan*

Times, no great defender of the Government, no great supporter of the Prime Minister, should say that "the intemperate and injudicious statement issued by Mr. K. S. Hegde on Tuesday leaves an objective reader"—I am naturally not an objective reader!—"with the feeling that perhaps it is just as well that this particular judge was passed over."

SHRI SHYAMNANDAN MISHRA: Which paper is it?

SHRI S. MOHAN KUMARAMANGALAM: I am entitled to read what I want; you are entitled to read what you want. It is *Hindustan Times*.

SHRI SHYAMNANDAN MISHRA: The person who served the Prime Minister is the editor of that paper.

MR. SPEAKER: Mr Mishra, will you please sit down? It has been going very peacefully.

SHRI S. MOHAN KUMARAMANGALAM: I adopt the argument in that paper. They say....

SHRI S. A. SHAMIM (Srinagar): I take my hats off to that editor. Long live that editor. (*Interruptions*)

SHRI S. MOHAN KUMARAMANGALAM: I hope you will be happy with that certificate. Keep it.

I have always been amused at watching Mr. Shamim because he gets up in the House in such a temper as if he is going to throw everything at us. and then sits down and smiles. That shows how seriously he takes himself. Why should we take him more seriously?

Anyway there is one last thing which I want to say. Shri Hegde in the course of his rather extended conference yesterday, expressed his apprehension . (*Interruptions*)

SHRI SHYAMNANDAN MISHRA: Is it a personal discussion?

MR. SPEAKER: What else is there?

SHRI SHYAMNANDAN MISHRA: This kind of observation coming from the Chair is wrong. Then we will also do so... (*Interruptions*)

MR. SPEAKER: It has been a very orderly discussion. If you want to do like this, I will not be able to help you. I requested you in the beginning to listen to each other without interrupting each other frequently...(*Interruptions*)

SHRI SHYAMNANDAN MISHRA: Your observations are not in keeping with the dignity of the Chair.

MR. SPEAKER: When he has got notring to say, he casts reflections on the Chair.. .(*Interruptions*). He has absolutely nothing to say. That is why he is fighting with the Chair without any reason. He should sit down.

SHRI SHYAMNANDAN MISHRA: I cannot be browbeaten by you like this.

एं मी आज तक आप की रुलिंग नहीं हुई जिसका हमें प्राउड होता ।

SHRI SAMAR GUHA (Contai): It is very unbecoming of the Chair to show his temper like this.

SHRI SHYAMNANDAN MISHRA: You must observe some impartiality.

MR SPEAKER: Everybody was listening to Mr. Madhu Limaye with patience.

AN HON. MEMBER: He was interrupted.

SHRI SAMAR GUHA: We have every right to express our judgements. He has no right to denigrate the whole Parliament in the manner he is doing....(*Interruptions*).

MR. SPEAKER: The debate was going on very peacefully I never interrupted. I never said a word about any speaker. It does not look nice to interrupt like this.

SHRI SHYAMNANDAN MISHRA: Mr. Madhu Limaye was interrupted.

MR. SPEAKER: Don't behave like this.

SHRI G. VISWANATHAN (Wandiwash): On a point of order. There is nothing objectionable in the Minister taking such a long time. Even tomorrow or the day after tomorrow he can speak. Our objection is only this. He has taken 15 to 20 minutes on Mr. Hegde alone. Now he has proved his enmity towards Mr. Hegde Why should he further waste the time of the House? Let him go to other points.

श्री मधु लिमये (बांका) : अध्यक्ष महोदय 5 मिनट हो गये मैं व्यवस्था के लिए खड़ा हूं। मैंने पहले कभी यह नहीं देखा कि कोई आदमी व्यवस्था के प्रश्न पर खड़ा होता है तो उसको 5 मिनट इन्तजार करना पड़े।

अध्यक्ष महोदय : व्यवस्था का प्रश्न इसमें कोई नहीं है।

श्री मधु लिमये मेरा व्यवस्था का प्रश्न यह है कि जब श्री मोहन कुमार मंगलम को एक दफ़ा इन्होंने टोका तो आप इतने उत्तेजित हो गए, और मुझे दर्जनों बार यह लोग टोक रहे थे। मेरा व्यवस्था का प्रश्न है उस पर आप निर्णय दीजिए। (**व्यवधान**) इन को आप चुप करवाइये।

मेरा कहने का मतलब यह है कि सदन में जिन लोगों की संख्या कम है उस के अधिकारों की रक्षा करना सभापति का काम है। जब मैं बोलता हूं तो लोग दर्जनों बार मुझ को टोकते हैं और आप उत्तेजित नहीं होते। तो इन को भी अनुशासित कीजिए। इन की बात भी हम सुनना चाहते हैं क्योंकि यह तर्क की जगह है, बहस की जगह है। इन की बात भी हम सुनना चाहते हैं। लेकिन जब हम बोलने के लिए खड़े हो जाते हैं तो दर्जनों बार आप टोकते हैं, एक वाक्य पूरा नहीं होने देते। अगर यही तरीका होगा तो हम लोग भी हल्ला करेंगे।

अध्यक्ष महोदय : जो लोग इंटरप्ट करने लगे मधु लिमये जी, शुरू में कहा था कि आप ऐसा नहीं कर सकते, बिल्कुल गलत है। अगर आप किसी के बारे में कोई बातें करेंगे इस तरह तो यह नहीं चलेगा। और यह देखिए बोल रहे थे कुमारमंगलम साहब तो इन को जब कहा तो इन को और कोई सूझा नहीं सिवाय चेयर से लड़ने के।

श्री श्यामनन्दन मिश्र : हम कमजोर नहीं है, अकेले भी हम लड़ने के लिए तैयार हैं। (**व्यवधान**)

MR SPEAKER: Please sit down. I am not calling you.

श्री मधु लिमये इस सदन में विवाद और तर्क चलने दीजिए, यह हुल्लड़बाजी बन्द करवायी जाय।

अध्यक्ष महोदय अगर कोई मेम्बर किसी को छेड़ने वाली बात करेगा तो उस को खुद समझना चाहिए कि उस को ऐसा नहीं करना चाहिए। और अगर आप करेंगे तो चेयर हैल्पलैस हो जाती है।

माननीय मोहन कुमार मंगलम जी विषय पर बोल रहे थे, श्री हेडगे के डिफेंस पर बोल रहे थे तो किसी ने नहीं रोका। अब यह श्री हेडगे की दूसरी साइड पर बोलते हैं तो आप रोकते हैं। यह क्या बात है? अब और कोई काम नहीं है?

श्री श्यामनन्दन मिश्र : और जब प्राइम मिनिस्टर की बातें होने लगी तो मालूम होता है .... (**व्यवधान**) ..

अध्यक्ष महोदय : मैं दोनों तरफ़ की बात सोचता हूं ।

I also represent the other side. I am speaking for both sides—not only for one side. Please sit down.

SHRI PILOO MODY: Mr. Speaker, Sir, if you will permit me for a moment, there is a difference between a legitimate interruption, interjection and the sort of barracking that you have been hearing, of late. A person occupying the chair should be conversant with what is happening.

MR. SPEAKER: You please sit down Won't advise me.

19 hrs.

SHRI SAMAR GUHA: There is a convention and also a rule that while speaking on the floor of the House, no member will point to the press gallery. In his exuberant mood to propagate a particular philosophy which should be the criterion for choosing a new Chief Justice, Mr. Kumaramangalam pointed to the press gallery not once, not twice, but thrice and you in your wisdom did not say anything about this violation of the convention and rules of procedure I want to know whether a member is entitled while making a speech to point out to the press gallery.

MR. SPEAKER: This is no point of order. Some members are all the time looking at the press gallery while speaking.

SHRI S. M. BANERJEE (Kanpur): My point of order is this. Some hon Members have raised the question why the name of Shri Hegde has been mentioned many times. After all, we are discussing the three Judges and one of them is Mr. Justice Hegde and his conduct has to be discussed. We cannot discuss the Judges who have not resigned. Secondly, I want your ruling on another point. Shri Samar Guha has asked whether members could show their hands to the press or should they show their eyes?

MR. SPEAKER: In the subject we are discussing we cannot help mentioning the names. So far as looking at the press is concerned, sitting here I always see that some members all the time look at them. How can I help that? I do not like it. But I see that some members do it all the time.

SHRI K S. CHAVDA (Patan): When I was speaking on President's Rule in Gujarat I pointed to the press. At that time the Deputy-Speaker, who was in the Chair, asked me not to point to the press. That was the ruling given at that time.

MR SPEAKER: Then he pointed out in his speech to the Members of Parliament and he pointed out also to the press as part of it in his speech. He was not doing it to get his speech reported; he was mentioning it in the context of his speech.

श्री शंकर दयाल सिंह (चतरा) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। अभी माननीय सदस्य, श्री मधु लिमये ने कहा है कि हल्लड़बाजी नहीं होनी चाहिये । मेरा निवेदन है कि कार्यवाही से यह शब्द को हटा दिया जाये ।

SHRI S MOHAN KUMARAMANGALAM: Mr Speaker, may I continue after this interlude? I was commenting on Mr Hegde's statement that he has no confidence in the Government He has no confidence in the opposition, he has no confidence in the people and he has confidence only in himself and the Court. Therefore, only the courts can correct the executive; that is his theme. Now, if the courts alone are to correct the executive, then we will have continued confrontation. Is that the way he is looking at the future? I think that is the way he looks at it. That shows his philosophy and I think it is

[Shri S. Mohan Kumaramangalam]

just right that we have done what we have done.

One final thing. Shri Hegde has charged "possibly my telephone was being tapped and my movements were being watched". He has used the word "possibly" because he seems to have that sort of feeling. Let me assure him and let me assure the Members of this House that his telephone is not bugged and his movements are not watched. We have better things to do in our country than doing all these things.

SHRI SAMAR GUHA: How can he say that the telephones are not being tapped? My telephone is being tapped, as also that of some other hon. Members.... (*interruptions*)

SHRI S. MOHAN KUMARAMANGALAM: What then are the conclusions that I press on the House in this matter? I would like to put before the House the final conclusions. Firstly, it is not an essential pre-condition to the proper working of the democratic system that the Chief Justice must be appointed on the basis of seniority, but on the contrary, such a practice can only lead to harmful consequences, as the wrong man may well be appointed by the accident of seniority, and seniority often means that no Judge will serve for a long enough period to give continuity and leadership to the court. Secondly, it is not an essential pre-condition to the proper working of the democratic system that a judge prior to appointment should be innocent of political views or convictions, if at all it is possible to find such a person, and certainly Shri Hegde does not belong to this category.

Thirdly, some knowledge of public affairs, of the larger things that move the minds and passions of millions, is an important qualification for appointment to the highest court of the land for such has to be the philosophy of the Judge, his attitude to life and to the future of our country.

Fourthly, it is entirely within the discretion of the Government of the day to appoint the person considered in its eyes as the most suitable, as having the most suitable philosophy or outlook, to occupy the highest judicial office in the country.

Fifthly, the most important feature of the functioning of a court is its certainty and stability in relation to the major and vital questions of law. This is very important so far as the highest court of our country is concerned.

Sir, I have done. The heat and dust of controversy over the appointment of the present Chief Justice will die down and, I have no doubt in my mind, that this departure from an obviously wrong convention and practice later when the history of our country and of our courts is to be written, will be a landmark in the history of our country in the sense that it opened up a debate on the rightness and wrongness of the convention and uncovered the real reasons that must move a Government in making appointments to a high office of this kind.

The very character of this controversy will lead to a spread of knowledge regarding the matters at issue though, unfortunately, much of the arguments and passions being expended today is without studying the facts, what happens in a democratic system . (*Interruptions*) This is my view. I am entitled to express it before you.

One last quotation. This is very crucial in understanding the mind of any Judge. Justice Cardozo says:

> "Deep below consciousness are other forces, the likes and the dislikes the predilections and the prejudices, the complex of instincts and emotions and habits and convic-

tions, which make the man, whether he be litigant or judge."

—or a Member of Parliament.

MR. SPEAKER: We had allotted 6 hours for this discussion. Up to what time do you want to sit? You want to finish today or continue it on Friday?

SHRI SAMAR GUHA: Sir, my Half-An-Hour Discussion on land reforms has been shifted to Friday. This discussion is to continue on Friday. I am afraid, my Half-An-Hour Discussion will be again postponed.

MR. SPEAKER: It is unfortunate. Every time your Half-An-Hour Discussion is put, something or other urgent comes up.

SHRI SAMAR GUHA: This land reforms is a very important subject.

MR. SPEAKER: When do you want it?

SHRI SAMAR GUHA: Let it be tomorrow.

MR SPEAKER: I am sorry. Tomorrow, we have got the Finance Bill

SHRI SAMAR GUHA: If this discussion is taken up on Friday, my Half-An-Hour Discussion will be again shifted.

MR. SPEAKER: I am told the Minister will not be here on Friday If the Minister is not there, there is no use of taking it up on Friday I think, we should take it up next week, either on Monday or Tuesday.

SHRI SAMAR GUHA: May I seek your protection, Sir? This has been postponed twice. Why can the Minister not be present on Friday?

MR SPEAKER: We had fixed it for today and the Minister is present today. And today we decide to postpone it.

SHRI SAMAR GUHA: It was not communicated to me that the hon Minister would not be present on Friday. Land reforms is a very important matter....

MR SPEAKER: I am sorry, we cannot have it on Friday because the Minister will not be here on Friday. We shall have to shift it to next week. (*Interruptions*) Or, we can take it up right now. Are you prepared?

SHRI SAMAR GUHA: Today, it is not possible. I was given the impression that it would not be taken up today. I cannot make an *impromptu* speech. (*Interruptions*) We can have it tomorrow.

अध्यक्ष महोदय : कल तो मुश्किल है । मैं तो आधा रात तक बैठने को तैयार हु । आप बैठने के तैयार हों तो बैठ जाते हैं । (व्यवधान)

Mr. Piloo Mody wants to speak. Will the Minister keep sitting for some more time? I will adjourn the House after Mr. Piloo Mody has finished his speech.

SHRI PILOO MODY (Godhra): I was considerably entertained by the performance put forward by the star performer of the Congress party There is absolutely no doubt about it at all that he has received a life time's training in propagating his cause with the greatest erudition that perhaps this House has ever been fortunate enough to witness.

Nevertheless his arguments are somewhat transparent. I think, he has admitted in a very simple language that the Supreme Court as it existed in India was a moth-eaten institution which does not suit his philosophy, and, therefore, the time has now come, because of certain confrontations, certain differences of opinion, that have been held between the Supreme Court and Parliament, when we should change the structure of the Supreme Court and make it a mouth-piece of the Government. I think, he has made

[Shri Piloo Mody]

his case very clear, and I do not see any reason why he gets upset if Justice Hegde—even though he may not choose to call him justice any more—also happens to state the same thing. I think, this is all that the Opposition has been accusing the Government of—of having withdrawn the entire basis of the Supreme Court as enshrined in the Constitution of India and turned it into a mouthpiece, a performer on behalf of the Government. Now, that is his avowed attitude towards justice. He can quote from America, he can quote from Australia, he can quote from New Zealand, he can quote from Japan but he cannot quote from the Soviet Union. It is quite evident, that he cannot quote from there nor can he transplant it in India because none of these respectable countries that he has quoted had Mrs. Gandhi and the Congress Party functioning in them. And it is precisely because Mrs. Gandhi, supported by these three Marx Brothers on the Congress Benches, is functioning in this country and the influence they have had in shaping or mis-shaping the democracy of this country that it becomes even more incumbent that the Supreme Court should be scheduled isolated and kept out of the grabbing reaches of this Government."

Believe me, Sir, I believe in social change. But I believe in social change for the people and not for the masters and this is the basic difference of opinon that we have between these desk-thumpers on the one side and the people who try to oppose them on the other. When we want soical change, we want a social change for the people and not for the masters. We believe, we may be right or wrong, that this change should be gradual, it should be orderly and it should be by democratic process—democratic process, and I repeat the word 'democratic process' —but how is Mr. Mohan Kumaramangalam to know what is democratic process? After all, social change, irrespective of the claims that may be made by the Treasury Benches, was not invented by Mrs. Gandhi nor was it spurred by the three Marx Brothers....

AN HON. MEMBER: Who are they?

SHRI PILOO MODY: Two of them are present here and one of them was sent to Bengal.

It is not an invention of theirs. It started, and I remind the hon. Minister, at the time of the Magna Carta, as far back as 1215. It went through the first Parliament of Simon fort, it went through the French Revolution and it went through the American Revolution and through the Great Reform Bill and ultimately, the Code Nepolean and finally, the United Nations Charter on Human Rights, ultimately ending in the Constitution of India, the Constitution of India which for the first time gave to the nation a social philosophy and enshrined in that Constitution a chapter on the Directive Principles of State Policy.

It has been often argued by these gentlemen who talk a lot and read little that the Directive Principles have all of a sudden become supreme Did you hear the antics of the hon. Minister over there who said that some Judges think it is here and some Judges think it is there? It is very simple why our Fundamental Rights differ from the rights guaranteed in the Directive Principles. Only because one is inherent and can be found in nature and the other requires work on the part of Mrs. Gandhi and her Ministers to bring it about. The Constitution guarantees us the right to work. How does the right to work just become inherent unless you, Mr. Mohan Kumaramangalam and Mr. Gokhale, work hard to see that everybody can get a job in this country? And this work does not depend on merely smearing Justice Hegde. This work does not depend on merely smearing the Opposition and calling them all manner of names. This means, work, hard work, in the fields, hard work in the

factories, hard work in the offices and most of all, hard work in the Ministries which will create the sort of jobs that the Directive Principles had in mind to provide for the people of this country.

We talk about social change. Social change will come in with or without Mr. Mohan Kumaramangalam and his colleagues.

But for a brief aberration of perverted totalitarian theory propounded by Mr. Karl Marx, picked up by the authoritarians to disrupt the social progress of eight centuries we would have been well on our way today of having a transformed society, with equality and justice for all. Well, I can say, in spite of the brave protestations of the Minister, that this country will not accept his theory and it will not accept his philosophy. He can go and find himself another Parliament. He can go and find himself another country; but it will not be India.

Sir, Mr. Mohan Kumaramangalam has said, "let us have committed judges." This is what he has really said.

SHRI S. MOHAN KUMARAMANGALAM: I rise on a point of order. It is not a question of committed judges, because that word is always misused. I did not say, "committed judges"

SHRI PILOO MODY: I would like to correct the Hon. Minister. While I can grant him the word, I cannot grant the thought. The whole purpose of his speech was to explain, in the most likeable fashion, if I may say so, that this era has gone; we must have committed judges, judges "who believe in us" judges "who will do what we say," judges "who think what we do". What has actually happened, he has gone even beyond the scope of committed judges. What the Government really wants is, servants of their masters. That is what they want. They are so used to courtesies and having courtiers bowing and scraping in front of them. They talk about socialism, while living in enormous mansions, enjoying a salary of over Rs. 12 lakhs. And they talk about us being "right reaction" and they being left adventurists and all the wisdom and knowledge through the quotations of Cardozo, all crammed into the head of the Minister himself.

I hang my head in shame. What sort of Parliament is this? I believe that on the Congress benches, there are something like 200 lawyers. Where are they? Have they forgotten their profession? Have they forgotten what is happening? Has some lightning hit them dumb? Where are these 200 lawyers? Where is their conscience? Where is their conviction? What is the use of life if it is to be without courage? What is the use of education, if it is to be without character? What is the use of social status, if it is without reputation, what is the use of privileges if they are to be without responsibility; what is the use of rights if they are to be without duties; and what is the use of a social philosophy if it is to be without a social conscience? Individually I can only say that they are ciphers; but collectively, they behave like a mob and this is even more tragic.

I have seen day after day the Prime Minister sitting in this very Parliament, Ministers of Cabinet rank, Ministers of State and Deputy Ministers, and then there are some others hanging at the back also. They sit here, including the Minister of Parliamentary Affairs, day in and day out and see this barracking section over here. And they do not think that this is damaging democracy. It is very tragic. Either they must admit that they have no control over their own members or they must admit that barracking is a very healthy parliamentary practice which,—just as they have perverted the Supreme Court—they have decided to use it to pervert Parliament itself. To say the least, it is a tragedy.

Now, why has this happened? Why has one judge been selected at

[Shri Piloo Mody]

the expense of another? I cannot understand why, because the judgment that the Supreme Court gave, the 13-Member Bench of the judiciary gave, was a great and historic judgment. It may be that there were many judgments and it may be that it took some time to sort them out, but in essence, it gave to Government almost 90 per cent of what it wanted with certain restraints; it also gave to the citizens 10 per cent of what they yearned for also with certain responsibilities cast on them. And yet, having got such a favourable judgment from the Supreme Court, these vultures of power were not satisfied; they had to hit back and to hit back with a sort of venom, vengeance and vindictiveness in the most vulgar display of all the arrogance of power that has ever been seen.

All that I can say is that if the collective responsibility of the Government does not exist in it, then I think that it may be that the Prime Minister who does not understand law or economics or anything else has been misled by the Marx Brothers who are constantly at her elbow. The judgement was a product of social change. There was a time when the same Justices would not have come up with the same judgment. Sir, judgments change as social changes take place There was a time when Mr. Kaldor came to this country and recommended that the highest level of taxation should be 45 per cent Ten or fifteen years later, a hesitant Justice Wanchoo, sitting on a hesitant commission suggested that it should be 75 per cent. This is a direct result of social change and social thinking. It was, you can call it in my language, intimidation. But it was change, and it was change called upon by society. They are not satisfied with this sort of change; they want to change it in the manner which Shri S. Mohan Kumaramangalam has received a life-time's training. All that I have to say is that he can sit where he is; he can sit even higher than where he is, and he can become the Deputy Prime Minister of this country, and he can even become the Prime Minister of this country, but he will not be able to bring about that sort of change in India, and this is the challenge that I throw to him. He may accept it, he may believe me or he may not believe me.

Shrimati Indira Gandhi and the Ministers have apologised. They have said that after all it was not merit that they were considering, it was not seniority that they were considering, but Shri S. Mohan Kumaramangalam has been very honest, and, therefore, I thank him. I appreciate honesty wherever I see it, even if it is not part of the democratic process, because honesty has its own value, and it exists on its own.

The other day, in Lucknow or was it in Kanpur, the Prime Minister talked about how she wanted to bring justice to the poor but the big bad wolves like me in the form of right reaction consisting of three Members here were stopping this massive mandate of 350 joined by God knows how many from this side, we were stopping them from bringing about this, that is, bringing justice to the poor.

The same Law Commission which has now been made a victim of political manoeuvring suggested several methods by which justice could be made cheaper in this country, through court's stamp duties, methods by which lawyers were employed, the time element and so on. Has Government taken a single step in that direction? Where is this concern for the poor that I keep on hearing about night, day and afternoon?

SHRI MADHU LIMAYE: You find it in Maruti socialism.

SHRI PILOO MODY: Shri Madhu Limaye has found me the answer.

It has been proved—Shri Mohan Kumaramangalam instead of speaking for an hour and a half could have

taken three hours; I am sure he is capable of it, it would have made no difference—that this Government has gone mad. *Vinasa kale viparita buddhi*, those whom the God wishes to destroy, He first turns them mad. That is what is happening today in India.

MR. SPEAKER: The House stands adjourned till 11 a.m. tomorrow.

19.37 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, May 3, 1973/Vasakha 13, 1895 (Saka).

M.G.I.P.N.D.—P.M.R.—557 L.S—Jc 788—1-9-73—1010